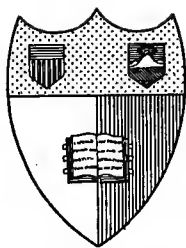


ASIA

Wason
DS740.5+
G7A3
1876



Cornell University Library
Ithaca, New York

**CHARLES WILLIAM WASON
COLLECTION
CHINA AND THE CHINESE**

THE GIFT OF
CHARLES WILLIAM WASON
CLASS OF 1876
1918

DATE DUE

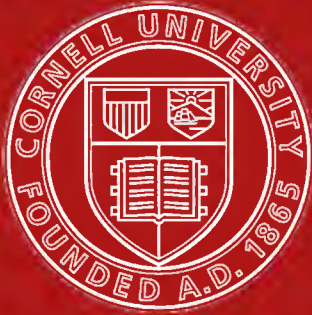
MAY 3 1965 H P	SEP 30 1998		
FEB 17 1981 C			
SEP 14 1994			
MAY 29 2004			
CAYLORD			PRINTED IN U.S.A.

Cornell University Library
DS 740.5.G7A3 1876

Correspondence respecting the attack on



3 1924 023 185 121 w3,ov1



Cornell University Library

The original of this book is in
the Cornell University Library.

There are no known copyright restrictions in
the United States on the use of the text.

BRITISH

PARLIAMENTARY PAPERS

CORRESPONDENCE

REGARDING MURDER OF MARGARY

1876 - 1877

Chas. W. Benson
3/14/16

CLEVELAND

1915

CORNELL
UNIVERSITY
LIBRARY

W 6012

C O N T E N T S

Correspondence respecting the attack on the India Expedition
to western China, and the Murder of Mr. Margary, 1876

Further Correspondence respecting the attack on the Indian Ex-
pedition to western China and the Murder of Mr. Margary,
1876

Further Correspondence respecting the attack on the Indian Ex-
pedition to western China, and the Murder of Mr. Margary,
1877

W. D. L. Foreign Office.

CHINA. No. 1 (1876).

CORRESPONDENCE

RESPECTING THE

ATTACK

ON THE

INDIAN EXPEDITION TO WESTERN CHINA,

AND THE

MURDER OF MR. MARGARY.

Presented to both Houses of Parliament by Command of Her Majesty.
1876.

C.1422.

LONDON:
PRINTED BY HARRISON AND SONS:

76 CORNELL
UNIVERSITY
LIBRARY

TABLE OF CONTENTS.

No.	Name.	Date.	SUBJECT.	Page
1	To Mr. Wade ..	Mar. 4, 1875	Viceroy of India telegraphs that Colonel Browne's mission has been attacked, and Mr. Margary killed, at Manwyne. To call attention of Chinese Government to the outrage. What steps should be taken? ..	1
2	" " ..	Apr. 16,	Approves arrangements respecting investigation. Requests further explanations respecting indemnity ..	1
3	Mr. Wade ..	Mar. 12,	Copy of the note to Prince of Kung announcing the outrage ..	2
4	" " ..	12,	Praises Mr. Margary's conduct ..	2
5	To India Office..	May 13,	Sends copy of No. 3 ..	3
6	To Mr. Wade ..	13,	Regret at loss of Mr. Margary ..	3
7	Mr. Wade ..	Apr. 14,	Correspondence with Prince of Kung respecting inquiry into Yunnan outrage. Agreement come to..	3
8	" " ..	15,	Letter received from Mr. Margary from Bhamo ..	21
9	" " ..	16,	Extent of Chinese jurisdiction over Yunnan territory ..	22
10	" " ..	17,	Sung Pao-hwa appointed to accompany British officers to Yunnan..	24
11	" " ..	17,	Geographical position of Manwyne ..	24
12	To India Office..	June 16,	Sends copies of Nos. 7, 8, 9, and 10, and requests opinion as to fresh mission and indemnity ..	25
13	To Mr. Wade ..	16,	Approves his conduct. Fresh mission and indemnity under consideration ..	26
14	Mr. Wade ..	May 1,	Correspondence with Prince of Kung respecting demands made ..	25
15	To Mr. Wade ..	June 23,	Entirely approves the course he has pursued. Thorough investigation to be insisted upon ..	33
16	Mr. Wade ..	May 10,	Has visited Chinkiang, Kewkiang, and Hankow in the "Vigilant" ..	34
17	" " ..	28,	Notes to Prince of Kung as to mission of inquiry ..	34
18	" " ..	29,	Statements made by one of Mr. Margary's Chinese servants ..	35
19	To Mr. Wade ..	July 21,	Approves notes to Prince of Kung in No. 17 ..	38
20	To India Office..	22,	Sends copy of No. 17 ..	38
21	Mr. Wade ..	June 10,	Reports arrival of Colonel Browne ..	38
22	Admiralty ..	Aug. 14,	Report from Admiral as to conveyance of Colonel Browne ..	38
23	Mr. Wade ..	June 23,	Note to Prince of Kung asking what report has been received from Yunnan ..	39
24	" " ..	23,	Communications with Yamèn as to reported despatch of Special Commissioners ..	39
25	To Mr. Wade ..	Aug. 21,	To telegraph arrangements as to special mission ..	41
26	" " ..	21,	Approves note to Prince of Kung in No. 23 ..	41
27	Mr. Wade ..	July 24,	Mr. Grosvenor's interview of July 9 with Li. Memorandum on the state of affairs ..	41
28	" " ..	24,	Has communicated substance of No. 15 to Prince of Kung ..	46
29	To Mr. Wade ..	Sept. 16,	Approves proceedings reported in No. 27 ..	48
30	" " ..	16,	Approves note to Prince of Kung in No. 28 ..	48
31	" " ..	29,	What are the guarantees? Full inquiry must be insisted upon ..	48
32	" " ..	Oct. 21,	Guarantees appear satisfactory. Entirely approves his conduct. Chinese Government to be informed ..	48
33	Mr. Wade ..	Aug. 26,	Note from Prince of Kung of July 31 ..	49
34	" " ..	26,	Memorandum presented to Li, respecting guarantees required ..	50
35	" " ..	26,	Two notes to Prince of Kung, giving a full narrative of the outrage ..	52
36	" " ..	26,	Remarks of the Yamèn on the guarantees required ..	61
37	" " ..	27,	Explains use of "befooled" in No. 35 ..	63
38	" " ..	27,	Has communicated the Queen's speech to Li ..	63
39	To Mr. Wade ..	Oct. 30,	Approves his memorandum in No. 34, and Mr. Grosvenor's proceedings ..	64
40	" " ..	Nov. 6,	Approves notes to Prince of Kung in No. 35 ..	64

TABLE OF CONTENTS.

No.	Name.	Date.	SUBJECT.	Page
41	Mr. Wade ..	Nov. 8, 1875	Mr. Grosvenor's mission left Hankow November 5 ..	64
42	" ..	Sept. 9,	Prince of Kung's answers to notes presented to Yamèn ..	64
43	" ..	9,	Interview with Li and Ting, and correspondence with Prince of Kung ..	67
44	" ..	9,	Correspondence with Prince of Kung from the 27th August ..	68
45	" ..	10,	Correspondence respecting Mission to England. Envoys appointed ..	73
46	To Mr. Wade ..	Nov. 24,	Approves proceedings reported in Nos. 44 and 45 ..	74
47	To Sir T. Wade ..	25,	Notifies his appointment as K.C.B. ..	74
48	Consul Medhurst ..	Dec. 7,	News from Mr. Grosvenor up to November 24 ..	74
49	Mr. Wade ..	Oct. 20,	Decree of September 7, respecting Mission to England ..	74
50	" ..	20,	Prince of Kung's explanation respecting the appointment of Li and Ting as negotiators ..	75
51	" ..	20,	Prince of Kung's reply respecting despatch of Mission to England ..	75
52	" ..	20,	Interview with Ministers of the Yamèn ..	76
53	" ..	20,	Further discussions respecting guarantees ..	76
54	" ..	21,	Will send Mr. Grosvenor to England. Reasons for this change ..	79
55	" ..	21,	Renewal of negotiations ..	82
56	" ..	21,	Correspondence respecting Mr. Grosvenor's reception in Yünnan ..	84
57	" ..	21,	Decree respecting intercourse with foreign Ministers ..	85
58	" ..	21,	Unsatisfactory state of negotiations. Determination to withdraw Legation ..	89
59	" ..	26,	Negotiations for a Decree respecting passports ..	90
60	" ..	26,	Decree published respecting passports. Mr. Grosvenor is to start for Yünnan ..	94
61	" ..	27,	Has recommended postponement of Mission to England until after the Yünnan inquiry ..	98
62	" ..	27,	Despatch to Consul Medhurst respecting publication of guarantees ..	98
63	" ..	27,	Has communicated substance of No 32 to Prince of Kung ..	100
64	" ..	27,	Mr. Davenport has been attached to the Mission ..	100
65	" ..	27,	Mr. Grosvenor started for Hankow on October 24. Copy of his instructions ..	101
66	" ..	27,	Valuable services of Mr. Hart ..	104
67	" ..	28,	Has decided to send Mr. Edwardes home with despatches ..	105
68	To Sir T. Wade ..	Dec. 15,	Approves note in No. 56 ..	105
69	" ..	15,	Approves proceedings reported in No. 61 ..	105
70	" ..	15,	Approves despatch to Consul Medhurst in No. 62 ..	105
71	" ..	15,	Approves note to Prince of Kung in No. 63 ..	105
72	" ..	15,	Approves Mr. Davenport's appointment reported in No. 64 ..	106
73	" ..	15,	Entirely approves instructions to Mr. Grosvenor in No. 65 ..	106
74	Consul Medhurst ..	15,	Mr. Grosvenor has reached I-chang-fu ..	106
75	To Sir T. Wade ..	23,	Appreciation of Mr. Hart's services reported in No. 66 ..	106
76	Consul Alabaster ..	Nov. 6,	Mr. Grosvenor's mission left Hankow on November 5.	106
77	To Sir T. Wade ..	Jan. 1, 1876	Mr. Edwardes arrived on December 12. General approval of proceedings ..	107
78	Mr. Wade ..	Nov. 17, 1875	Consul Medhurst is to telegraph home all news respecting Mr. Grosvenor's mission ..	107
79	To Sir T. Wade ..	Jan. 8, 1876	Approves instructions to Consul Medhurst in No. 78.	108
80	Consul Medhurst ..	12,	News from Mr. Grosvenor up to December 13. All well ..	108

(2 crimes)

Correspondence respecting the Attack on the Indian Expedition to Western China, and the Murder of Mr. Margary.

No. 1.

The Earl of Derby to Mr. Wade.*

Sir,

Foreign Office, March 4, 1875.

I HAVE to acquaint you that Her Majesty's Secretary of State for India has received a telegram from Lord Northbrook, informing him that intelligence has reached the Indian Government from Mandalay that the Mission under Colonel Browne has been attacked and driven back by an armed force, and that Mr. Margary and his servants have been killed at Manwyne. These acts are understood to have been committed by the orders of the Chinese Governor of Momein.

I have to instruct you to lose no time in calling upon the Chinese Government to institute a strict investigation into the facts thus reported, and to inform me of your opinion as to the steps which it would be advisable to take in the matter, bearing in mind the objects which the Indian Government had in view in sending the Mission under Colonel Browne to Yünnan.

I am, &c.
(Signed) DERBY.

No. 2.

The Earl of Derby to Mr. Wade.†

Sir,

Foreign Office, April 16, 1875.

HER Majesty's Government have had under their consideration your telegram of the 24th ultimo, reporting the demands which you had made upon the Chinese Government in consequence of the attack on Colonel Browne's Mission and the murder of Mr. Margary.

Those demands were as follows :—

1. That a British officer should be present at the investigation to be held in Yünnan.
2. That fresh passports should be immediately granted for a new mission through Burma in case the Indian Government should wish to send one.
3. That the sum of 150,000 taels should be placed in your hands to be disposed of as Her Majesty's Government might see fit.

I have now to acquaint you that the two first demands are entirely approved ; and that with reference to the third, Her Majesty's Government, having entire confidence in your discretion, presume that you had good grounds for the action you have taken in asking for a sum of 150,000 taels, but will await further explanations before expressing a more definite opinion on the subject.

I am, &c.
(Signed) DERBY.

* Substance telegraphed to Mr. Wade.

† The substance of this despatch was telegraphed to Mr. Wade on the 6th April.

Mr. Wade to the Earl of Derby.—(Received May 10.)

(Extract.)

Peking, March 12, 1875.

YOUR Lordship will not have failed to receive from the India Office a copy of the telegram which reached me yesterday, to the effect that the expedition from Bhamo had been attacked at a place called Man-wyne, which is some way within the Chinese frontier, and that Mr. Margary had been either killed in the fight or subsequently murdered; I do not quite make out which.

The Viceroy of India informs me that a copy of the telegram had been forwarded to the Secretary of State.

I inclose copy of a despatch in which I have, this day communicated the matter of the telegram to the Prince of Kung.

I have limited myself to such a statement of the facts as I conceive the telegram strictly to warrant, reserving all comment that the particular case, or the larger question of which I cannot but regard it as forming part, might seem to authorize, until I am in receipt of the Prince's reply.

Inclosure in No. 3.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 12, 1875.

IT was only on the 3rd instant that I wrote to inform your Imperial Highness of the safe arrival of Mr. Margary at Bhamo. It gave me pleasure to be able to add that Mr. Margary had been kindly received by the Chinese authorities, through whose jurisdictions he had passed.

I regret to have now to state that a telegram arrived last evening from the Viceroy of India to the effect that the expedition, which Mr. Margary was sent to accompany, having crossed the Chinese frontier, was attacked on the 22nd of February near a town, some seventeen miles south-west of Sanda by a large body of Chinese and hill men, the advanced guard of a force of 3,000 men, sent forward by a high authority of Momein to annihilate the British party.

The latter, but a few persons in number, were of course unable to make head against such odds, but, although some were wounded and the whole of their baggage was taken, they all succeeded in reaching a place of safety near Bhamo, with the exception of Mr. Margary, who, with his Chinese attendants, was killed, whether during the attack or in cold blood I cannot exactly make out. In any case their heads were exposed on the walls of the town near which the expedition was attacked.

The attacking party was commanded by a nephew of Li-ssü-ta-ye, Chief Authority of Nan-tien. Li-ssü-ta-ye had shown Mr. Margary great civility but a short time before when he was passing through Nan-tien on his way to Bhamo.

The Viceroy has sent a duplicate of his telegram to the Secretary of State for India, who will, of course, communicate with the Secretary of State for Foreign Affairs.

Your Imperial Highness cannot doubt that I shall look anxiously for an acknowledgment of this communication.

(Signed)

THOMAS FRANCIS WADE.

No. 4.

Mr. Wade to the Earl of Derby.—(Received May 10.)

My Lord,

Peking, March 12, 1875.

WHATEVER details may be added to the telegram which forms the subject of the foregoing despatch, there can be no doubt, I fear, about the terrible fate of Mr. Margary. The regret which I could not fail to feel for the death of any one under circumstances so lamentable, is added to by the sincere conviction that in Mr. Margary the service loses one of the most promising of its staff. My personal knowledge of him was but slight, but I knew of him incidentally sufficient to assure me that no one would better accomplish the difficult mission for which I selected him, and his private letters forwarded me from time to time during his journey, either by Mr. Hughes or Mr. Medhurst, showed

me that I had not been mistaken in my choice. Whether in a Consular office or out of it, he was eminently a good servant, and I have known no one more generally popular with his colleagues or his countrymen.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 5.

Mr. Lister to Sir L. Mallet.

Sir, *Foreign Office, May 13, 1875.*
I AM directed by Her Majesty's Secretary of State for Foreign Affairs to transmit to you, to be laid before the Marquis of Salisbury, a copy of a despatch from Her Majesty's Minister at Peking upon the subject of the recent attack on the mission to Yunnan.*

I am, &c.
(Signed) T. V. LISTER.

No. 6.

The Earl of Derby to Mr. Wade.

Sir, *Foreign Office, May 13, 1875.*
I HAVE received your despatch of the 12th of March, relating to the lamented death of Mr. Margary at Man-wyne, and I have to state to you that Her Majesty's Government share your regret at the loss of a public servant whose career promised so well.

I am, &c.
(Signed) DERBY.

No. 7.

Mr. Wade to the Earl of Derby.—(Received June 6.)

(Extract.)

Shanghai, April 14, 1875.

I HAVE the honour to inclose copies of my correspondence with the Prince of Kung and the Ministers of the Tsung-li Yamén, on the subject of the Yunnan outrage, as also of other papers connected with the same question. There is still a supplement to be supplied from Peking, with one or two documents that have been left behind by mistake.

My telegram of the 24th of March informed your Lordship that I had asked, first, for passports for the officers whom I might send to Yunnan, to be present at whatever proceedings should be had in this case; secondly, for passports that would enable a second mission from India, should the Viceroy see fit to send one, to cross the common frontier of China and Burma; thirdly, for an indemnity of 150,000 taels.

Your Lordship's despatch of the 6th instant, in reply to the above, reached this only on the 11th, the day after I arrived here. It acquaints me that my two first demands are approved, but that, while confiding in my discretion, Her Majesty's Government will await farther explanation of my demand for an indemnity.

I had already telegraphed, on the 26th of March, that I had made the accordance of passports a *sine quâ non*, and on the 31st of March that they had been sent to me. I reported also that I had not made a *sine quâ non* of the indemnity, but had only "recommended" it; that the Prince of Kung had offered, as a favour, that portion of the whole sum originally named by me, which I had told His Imperial Highness was allotted to the family of Mr. Margary, but that I had declined this offer, and had intimated my intention to abstain from all further reference to indemnity until I should receive instructions on the subject.

Inclosure 1 in No. 7.

The Prince of Kung to Mr. Wade.

(Translation.)

THE Prince has to acknowledge the receipt of the British Minister's despatch of the 12th instant, informing him of the receipt of a telegram on the previous evening from the Viceroy of India, stating that the expedition proceeding to Yünnan had been attacked on the 22nd February, after entering Chinese territory, and that Mr. Margary, with his Chinese attendants, had been murdered.

It is but lately that the intelligence communicated by the British Minister, that Mr. Margary had safely arrived in Burma, after being treated with kindness by the officials along the entire course of his journey, had been received by the Prince with cordial satisfaction. On receipt of the present information that Mr. Margary has been cut off in this sudden manner, the Yamên of Foreign Affairs communicates at once by express with the Governor-General and Governor of Yünnan, desiring them without delay to order an inquiry to be instituted, and to make report of the result. The present reply is, in addition, forwarded for the information of the British Minister.

Kwang Sü, 1st year, 2nd moon, 7th day (March 14, 1875).

Inclosure 2 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 15, 1875.

I HAVE the honour to acknowledge the receipt of your Imperial Highness' reply to my communication of the 12th.

The Viceroy of India, your Imperial Highness is aware, when he telegraphed to me, sent also a telegram to the India Office, and I cannot doubt that as soon as the Cabinet shall have had time to confer together, I shall receive instructions from the Earl of Derby. I shall not, therefore, for the present say more than that, with all there is on record of like offences insufficiently atoned for, the mere intimation of your Imperial Highness' intention to write express to a provincial Government from which no answer can be received for about six months, is not very likely to satisfy Her Majesty's Government.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 7.

The Prince of Kung to Mr. Wade.

(Translation.)

THE Prince has to acknowledge the receipt of the British Minister's despatch of the 15th instant, expressing the opinion, with reference to the murder in Yünnan, that Her Britannic Majesty's Government is not likely to be satisfied with the mere assurance that orders to institute inquiry have been sent by express to a Provincial Government, from which no answer can be expected in less than half a year's time. In reply, the Prince has to observe that it was with a feeling of the utmost perturbation, so shortly after the receipt of a note announcing Mr. Margary's safe arrival in Burmah, that he learnt, by the despatch lately received, the news of his having been waylaid and murdered by an armed party. What is essential, at the same time, in cases of this kind, is that inquiry be instituted for the purpose of discovering the actual murderers, as well as of ascertaining the officials within whose jurisdiction the act has been committed, which having been done, rigorous punishment can be inflicted, as a warning for the future.

Immediately upon the receipt of the British Minister's despatch of the 12th instant, the Prince hastened to prepare a despatch, which was sent off on the 14th, at the urgent express rate of 600 li (200 miles) per diem, desiring the Governor-General and Governor of Yünnan to order an inquiry, and to reply without delay, the high officials in question being desired at the same time to devise with all promptitude the measures which it is requisite should be taken.

The Prince will never be found to deal negligently with so serious a matter as a case of murder; and, indeed, with reference to another affair, the Tsung-li Yamên have already heretofore remarked in a despatch addressed to the British Minister, that "if, in cases of homicide, the manslayer be set free on a verdict of 'Not Guilty,' it cannot be

possible to satisfy the public mind." It is because he himself is animated by a like sentiment that the Prince has with the utmost expedition despatched instructions to the authorities of the Province concerned, directing them to institute minute inquiry and effective proceedings as promptly as possible, to the end that no opportunity of escape be afforded to the murderers; and on receipt of the British Minister's further communication now under acknowledgment, additional instructions have been sent off by express to the high authorities of the Province. The Prince feels assured that Her Britannic Majesty's Government will not fail to share the conviction that, in dealing with this occurrence, the Prince will not cherish the slightest inclination to treat it negligently.

Kwang Sü, 1st year, 2nd moon, 10th day (March 17, 1875).

Inclosure 4 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 18, 1875.

I HAVE the honour to acknowledge your Imperial Highness' reply of yesterday to my communication of the 15th instant, reminding me of the words employed in an earlier despatch by your Imperial Highness to the effect that the pacification of the public mind would be impossible were persons guilty of murder to be discharged as innocent.

These words, I remember, are to be found in a despatch regarding the Fawcett case, on which I have more than once explained that I had some further statements to make. My reason for delaying these will be given in due time, but as your Imperial Highness' allusion to the Fawcett case at this juncture may seem to imply that there is some parallel between it and the case just reported from Burma, I beg to state at once that there appears to me the very widest possible difference between the two. In the one a British subject, the employé of the Chinese Government, engaged in work on the Shan Tung Promontory for the Chinese Government, finding his workmen violently interfered with by Chinese of the locality, a collision ensued in which a shot from the foreigner's pistol, while he was striking one of the Chinese with the butt of the weapon, occasioned the death of another. In Momein a party of British officers travelling with a passport provided by the Chinese Government has been waylaid by an armed force, and one of them has been murdered and mutilated under circumstances which will not fail in England to recall the recollection of sundry acts of violence and treachery which have either interrupted or endangered relations between China and foreign Powers on various occasions, both before and after the Treaty of 1858. Who was responsible for the movement of the Momein force is, of course, the important point to determine.

An hour after the receipt of your Imperial Highness' despatch, I received a telegram from the Earl of Derby instructing me to inform his Lordship what steps, in my opinion, it will be advisable to take in this matter. When I have seen the Ministers who propose to call on me to-morrow, I shall have the honour of communicating again with your Imperial Highness.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 5 in No. 7.

Mr. Wade to the Tsung-li Yamên.

Peking, March 19, 1875.

MR. WADE presents his compliments to the Ministers Shên, Mao, Tung, and Ch'ung.

To save time, Mr. Wade forwards a Memorandum of the subjects referred to to-day in Mr. Wade's conference with their Excellencies, and on which Mr. Fraser and Mr. Mayers will be instructed to speak to-morrow.

The Ministers mentioned to-day the Prince's intention to address a memorial to the Throne on the subject of the Momein affair. It is desirable that the draft of the Yamên should first be shown to Mr. Wade, and that both the Memorial and Decree be published in the "Gazette."

Mr. Wade takes this opportunity of insisting most positively on the necessity of a joint investigation. The course suggested by the Minister Tung, that is, that inquiry should be made, and punishment at once inflicted, will not satisfy Mr. Wade.

(Signed) THOMAS FRANCIS WADE.

Inclosure 6 in No. 7.

Memorandum forwarded to the Tsung-li Yamén, March 19, 1875.

1. THE Chinese Government will send a special Commission to Momein to inquire into facts and causes of the attack on the expedition from Burma. No investigation or action taken upon it will be satisfactory unless a British officer is present to assist in the inquiry. I shall be prepared to send one or two officers. The Indian Government will be invited to send an officer if it sees fit.

2. The Indian Government will, if it see fit, send a second mission into Yünnan to carry out the objects contemplated by that which has been repulsed.

3. The sum of 150,000 taels will be placed in my hands, to be applied as the Secretary of State for Foreign Affairs and the Secretary of State for India shall decide.

4. The Prince of Kung will at once arrange with me what steps are to be taken to give effect to Article IV of the Treaty of 1858; the word privileges is explained in a note.

5. The Prince of Kung will also arrange with me how effect is to be given to the Articles of the Treaties by which the freedom of British trade from all imposts over and above the Tariff and half Tariff duty is secured.

6. The Prince of Kung will at once cause all claims arising out of the action of officials to be satisfied.

(Signed) THOMAS FRANCIS WADE.

A Minister Plenipotentiary having presented his letters of credence at a foreign Court, and requested an audience, it is the duty of the Secretary of State for Foreign Affairs to ask the Sovereign of the State to grant the Minister Plenipotentiary an audience. The Secretary of State is not free to represent that the foreign Minister has "humbly implored" an audience. The audience granted, a notice of it is published in the "Government Gazette," in which the Sovereign of the Minister received is spoken of in such terms as to make it plain to all that there is no difference of degree between the Sovereign of the State and the Sovereign of the foreign Minister.

The reception over, the Minister is granted certain privileges; privileges of entrée, privileges of passage, and the like. On stated occasions he repairs to Court to pay his respects; he has formal intercourse with the chiefs of the Departments of State; not, of course, on business, but as a matter of ceremony.

Inclosure 7 in No. 7.

The Tsung-li Yamén to Mr. Wade.

(Translation.)

AFTER their interview with Mr. Wade on the 19th instant, the Ministers received Mr. Wade's note enclosing a Memorandum, with the contents of which they fully acquainted themselves, and which they at once laid before the Prince of Kung for His Imperial Highness' perusal. They have in like manner fully communicated to His Imperial Highness the views which were stated on the part of Mr. Wade by Mr. Fraser and Mr. Mayers during the interview held at the Yamén on the 20th instant, deliberation having been held [by the members of the Yamén], they have drawn up the enclosed paper, replying article by article to Mr. Wade's Memorandum, which they forward for Mr. Wade's perusal.

With reference to the draft of the Yamén's Memorial to the Throne, respecting which Mr. Wade has addressed the Ministers on the 19th and 20th instant, it must be observed that in addressing Memorials to the Throne, the Prince and his colleagues of the Yamén act in fulfilment of the duty incumbent upon them. Memorials are documents under close seal and of a confidential nature. The more weighty and confidential the subject to which they relate, the less is it possible that Chinese Ministers who have not even shared in the [drafting?] of the matter should venture, before the document has been laid before the Sovereign, to submit it to the perusal of any foreign Representative. Whatever there may be in the way of an abstract of the general tenor of the Memorial, and of the Imperial Rescript issued in reply, that should with due reverence be communicated for information's sake, the Yamén will certainly make known in an official despatch. The Ministers forward this reply, with wishes for Mr. Wade's continued happiness.

2nd moon, 15th day (March 22, 1875).

Inclosure 8 in No. 7.

Memorandum from the Tsung-li Yamèn

March 22, 1875.

(Translation.)

[IN reply to Mr. Wade's Memorandum of the 19th instant.]

Article 1. The Prince and his colleagues are at one with Mr. Wade in viewing this occurrence as of a serious nature. The proper course to pursue is undoubtedly that the Governor-General and Governor of Yünnan should institute a searching inquiry into all the facts of the case through the agency of intelligent and judicious officials acting under their orders, and take action accordingly, having as the object imperatively in view a due and satisfactory result. If, for instance, an affair of serious import were to occur within the limits of British territory, it could be dealt with in an efficient manner by British officials only; and thus, in the present instance, it rests entirely with the Governor-General and the Governor to make every possible effort towards ensuring the discovery of the persons by whose hands the murder was actually committed, and to punish them in accordance with the laws. It is the law that a murderer shall pay the penalty with his life; and whether the British Government should appoint officials (to be present) or no, the Chinese Government will assuredly be possessed by no inclination to trifle with the settlement of the affair.

Art. 2. The original understanding [with reference to the Indian expedition] was that the purpose in view was travel. Nothing was said of any other objects; and the province, in fact, is not one of those comprising ports open to trade. Mr. Fraser and Mr. Mayers admitted, indeed, in the interview which was held [on the 20th instant], that the localities they mentioned are not Treaty ports, stating that [what was contemplated] was not that Consuls should be appointed, but merely that the Viceroy of India should appoint officials for the protection of traders, and interpreters be appointed by the British Minister to accompany them.

To this it must be urged in rejoinder, that no proviso exists [authorizing] foreign Governments to station officials in the interior of China; and that, [although] Yünnan is conterminous with the Kingdom of Burma, the Chinese Government has never by the terms of any enactment given sanction to trade carried on within the limits of a subject state. Moreover, the British Minister is the Plenipotentiary of his country in China, and it is obligatory on the Yamèn of Foreign Affairs to transact with the British Minister, according to Treaty, all matters of business affecting the two countries which may at any time require attention.

Art. 3. With reference to the tenor of this Article, it was further explained by Mr. Fraser and Mr. Mayers that Mr. Wade proposed to allot 30,000 taels as indemnity for the murder of Mr. Margary; 30,000 taels for indemnity on account of other claims; and to hold the remaining 90,000 taels subject to decision as to the amount that may be demanded by the Viceroy of India, any surplus to be paid back to the Chinese Government.

Mr. Wade's own observation is that, in cases to be dealt with by the Chinese Government, it is the law of China that is to be applied, decision being formed according to the nature of the crime committed. Granting that in the case of Mr. Margary and those with him, who have respectively been put to death or wounded, the effects of the party may have been plundered, what must be done is to ascertain the actual particulars, and base an award of indemnity upon the value [of what has been lost]. This can scarcely be fixed *à priori*. Other claims unconnected with the question at issue should be dealt with on their own merits. It cannot be contended that the existence of the case which has now arisen justifies the indemnification of other claims, thus leading to no slight amount of entanglement.

Art. 4. Mr. Wade has further communicated, with reference to this Article, a Memorandum explanatory of diplomatic privileges. Owing to the difference which exists between Chinese and foreign usages (manners and customs), the forms of etiquette which should be observed in connection with the privileges of foreign Representatives, have been the subject of frequent discussion since the conclusion of the Treaties. A course of procedure was adopted, moreover, the year before last, in agreement between the Ministers of the five Powers and the Yamèn of Foreign Affairs. The Ministers explained, in their interview with Mr. Fraser and Mr. Mayers, the actual nature of the circumstances by which they are at the present time debarred from making [other] arrangements, and of which Mr. Wade is himself thoroughly cognisant.

Art. 5. The matter referred to in this Article has been the subject of frequent conferences in times past, and the Yamèn has already expressed its opinion on the subject in the fullest manner. With regard to this Article, as also to Article VI, the points at issue

should be dealt with on their respective merits, and there is nothing to require that they should be implicated within the scope of the present affair. [Their separation is necessary] in order that the threads of current business be kept distinct.

Inclosure 9 in No. 7.

The Prince of Kung to Mr. Wade.

(Translation.)

ON the 21st instant, the Yamên of Foreign Affairs memorialized the Throne, stating that the British Consular Interpreter Margary had been murdered on the frontier of Yünnan, and requesting the issue of a decree commanding Lin Yo-chao (Governor-General), and Ts'ên Yü-ying (Governor of Yünnan), to make appointment without delay of intelligent and judicious officials to proceed to the spot and institute effective inquiry and action, without the slightest approach to trifling with the affair. On the same day the following Decree was received:—

“The Yamên of Foreign Affairs memorializes, stating that a British Consular Interpreter has been murdered in Yünnan, and requesting that injunctions be issued for inquiry and action. The memorial states that in the course of the first moon of the present year (February, 1875), the British Interpreter Margary and his party were proceeding from Burma into Yünnan, when, at a town 50 li (17 miles) south-west from the seat of Government of the Shan Principality of Sanda, subject to the Prefecture of Yung-châng, they were attacked by troops in the service of Government and [Mr. Margary was] murdered. Let Ts'ên Yü-ying institute effective inquiry and action in this case. We likewise ordain that Lin Yo-chao do with all promptitude betake himself to his post,* and co-operate with the Governor in selecting officials of intelligence and ability to deal with the matter as justice requires. Let there be not the slightest approach to trifling (or ambiguity) in the matter.”

The foregoing, having been reverently received, is communicated for the British Minister's information.

Kwang Sü, 1st year, 2nd moon, 15th day (March 22, 1875).

Inclosure 10 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 22, 1875.

I RECEIVED this evening a despatch from your Imperial Highness, informing me that the Tsung-li Yamên had yesterday addressed the Throne on the subject of the murder of Mr. Margary, which I brought to your Imperial Highness' knowledge on the 12th instant.

The Imperial Decree which your Imperial Highness has done me the honour to communicate to me in the despatch under acknowledgment, instructs the Provincial Government to “ch'a pan” (hold inquiry and inflict punishment). Your Imperial Highness' despatch, and a Memorandum sent with it from the Ministers who called on me on the 19th instant, as a reply to one I had forwarded to their Excellencies the same evening, confirm my apprehension that the Chinese Government does not intend to wait until a British officer can reach the scene of the outrage.

I must beg your Imperial Highness' careful attention to the language of my despatch of the 18th, and of my note of the 19th instant.

The history of the past, as I have therein observed, obliges me to regard the presence of a British officer at the investigation as indispensable, and it is my duty once more to warn your Imperial Highness that I cannot report any inquiry satisfactory at which a British officer shall not have assisted.

There are various passages in the Memorandum of the Ministers of the Yamên in which the meaning of what I have said or written is shown to have been misapprehended. I shall reserve my explanations for a separate occasion. The particular object of this despatch is too important to admit of delay.

I renew, &c.
(Signéd) THOMAS FRANCIS WADE.

* The Governor-General is at present taking a *congé* in his native province, while returning to his post from a visit to Peking.

Inclosure 11 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 24, 1875.

I HAVE the honour to transmit officially to your Imperial Highness a copy, in English and Chinese, of the Memorandum which I laid before your Imperial Highness this afternoon at the Yamên.

I am sending a telegram to the Earl of Derby to inform his Lordship of the demands that I have made.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 12 in No. 7.

*Memorandum.**Peking, March 24, 1875.*

IN the matter of the attack on the Indian Mission in Teng-yüeh-chow, and the murder of Mr. Margary, the course of action which Mr. Wade calls upon the Chinese Government to pursue is as follows:—

1. It being before all things essential that inquiry into this case be conducted as Articles XVI and XVII of the Treaty of Tientsin requires, the Prince of Kung is called on to promise that the Yünnan authorities shall be instructed to see that no one, whether official or private person, who may be charged either with directing or promoting the attack on the British officers and others travelling under passport through Momein, or with taking direct part in the murder of Mr. Margary, be put on his trial before the arrival of the British officer or officers who may be sent to assist at the investigation.

Mr. Wade is to be immediately furnished with passports for two officers and their attendants to proceed to Momein, either overland through China, or by way of Burma, as may be deemed convenient.

2. Mr. Wade is to be immediately furnished with a passport in the same form as that forwarded to him in July last, to enable a second expedition, should the Viceroy of India see fit to send one, to enter Yünnan by the same route as that prescribed to the expedition repulsed in February.

The Prince of Kung will write officially to Mr. Wade to state what further measures it is proposed shall be taken to insure the new expedition against molestation.

3. The Prince of Kung is called on to have placed in Mr. Wade's hands, or made payable to him on demand, the sum of 150,000 taels, to be applied, whole or part, to such purposes as Her Majesty's Secretary of State for Foreign Affairs and Her Majesty's Secretary of State for India, when in possession of the whole of the circumstances of the case, shall determine. Should the Secretaries of State decide that none of this money is to be accepted, it will be returned to the Chinese Government.

Inclosure 13 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 25, 1875.

IT appears that the Ministers who received Mr. Fraser and Mr. Mayers at the Yamên on the 20th instant have misunderstood the observation I instructed those gentlemen to make to the effect that if the Government of India saw fit to leave an officer at Yünnan-fu or at Tali-fu to watch the trade, I should be prepared, with the approval of Her Majesty's Government, to place an interpreter at his disposal.

The Government of India desiring to possess itself of information that might prove useful to the traders of the Province of British Burma, between whom and the Province of Yünnan there is, in times of peace, a considerable traffic, resolved to send a mission headed by an officer, who would be accompanied by three or four gentlemen. They were to make a tour through the Province and report upon the conditions of the trade.

When therefore I applied last summer for the passports, the Yamên was informed of the official character of this mission, and I stated that the passports were applied for, in the terms of Article IX of the Treaty, as for persons touring, not travelling for purposes of trade.

Though provided with passports from the Chinese Government they have been attacked in Chinese territory by a force sent from Momein, and one of their number has been barbarously murdered. I wished it to be understood that if the Government of India

saw fit to send a second mission under the same form of passport into Yünnan and were to direct it to remain there for a longer or shorter space of time as it might determine, it would be under Treaty at perfect liberty to do so, should this course appear to it essential to the accomplishment of the object of the mission.

The Ministers appear to have thought that I claimed the right to put Consuls in Yünnan.

Last summer when a misunderstanding with Japan appeared imminent, it is true that among the recommendations I confidentially submitted to the Tsung-li Yamên of measures calculated to propitiate the Western Powers, I included the suggestion that China should concede the right to foreign Powers to place Consuls in Yünnan and Ssu-chuan; but I particularly mentioned that all I suggested was the exercise of such a right only if it should appear convenient: that I suggested it because I thought that it would tend to diminish the chance of Romish missionary complications in those provinces; lastly, that I greatly doubted whether my own Government would elect, if it had the right, to place a Consul in either province.

The Yamên has erred through over-suspiciousness.

I had no intention, nor has the Government of India, of going beyond the Treaty in the matter of passport privileges; but the right to remain in the interior under passport can no more be denied to British subjects, official or non-official, than it is denied to the Romish missionary; and I must repeat what I said yesterday that if British subjects are molested, or their trade interfered with, as has been the case at Nan-chang, Kwei-chow-fu, and now in the Momein atrocity, the frequent presence of British officials at inland centres, to watch proceedings, on occasion it may be to remonstrate with the local authorities, in any case to report the facts, can hardly fail to become an indispensable necessity.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 14 in No. 7.

The Prince of Kung to Mr. Wade.

(Translation.)

THE British Minister spoke with the Prince on the 24th instant with reference to the murder of Mr. Margary on the frontier of Yünnan, handing in at the same time a Memorandum setting forth, in three separate clauses, the course of action [which Mr. Wade called on the Chinese Government to pursue]; and at a later hour on the same day the Prince received the British Minister's despatch, inclosing a Memorandum, which, on being attentively perused, is found to be in all essential respects the same with that handed in at the previous interview.

The Prince has to observe that, in the treatment of affairs in an amicable spirit by the two Governments, cases of such importance as that at present in question must necessarily be discussed and dealt with on both sides according to Treaty with due consideration of what is just and with a dispassionate mind. The Prince feels it incumbent upon him, therefore, to forward to the British Minister herewith a Memorandum of observations in reply to that received from him.

Kwang Sü, 1st year, 2nd month, 18th day (March 25, 1875).

Inclosure 15 in No. 7.

Memorandum annexed to the Prince of Kung's Despatch of March 25, 1875.

(Translation.)

WITH reference to the first clause of Mr. Wade's Memorandum it must be observed that the provisions of the XVIIth Article of the Treaty are confined to cases occurring at Treaty ports, where Consuls are stationed. In the present case it is right that steps be taken, as the British Minister intimates, in conformity with the sense of the XVIth Article of the Treaty. It has already been distinctly affirmed in the Memorandum forwarded to the British Minister on the 22nd instant that it is the duty of the Yamên to use the most determined and earnest efforts towards the effective discovery of the actual perpetrators of the crime committed, and to punish them according to law, as also that whether officials be deputed by the British Government or no, the Chinese Government will assuredly not be disposed to trifle with the case. The Prince [will] further write to the authorities of the Province of Yünnan that the action taken according to Article XVI of the Treaty must be of a due and satisfactory nature.

2. With regard to the application for the issue of fresh passports like those issued for purposes of travel in July last, the answer must be given that action must of course be taken under Article IX of the Treaty. On receiving from the British Minister a statement of the number of individuals [for whom passports are asked], in the same way as last year, the passport will be sealed and returned as before. Instructions will at the same time be dispatched to the Government of Yünnan, to adopt such precautionary measures as may be necessary to obviate the risk of harm.

3. With regard to the third clause of the Memorandum, as also to clause 3 in Mr. Wade's Memorandum of the 19th instant, respecting which it was stated by Messrs. Fraser and Mayers, at the interview held on the 20th instant, that 30,000 taels were asked as an indemnity for the murder of Mr. Margary, 30,000 taels in settlement of other claims, and the remaining 90,000 taels to be held subject to the disposal of his Excellency the Viceroy of India, a Memorandum in reply was returned on the 22nd instant, in which it is pointed out that, "as Mr. Wade himself has observed, in cases to be dealt with by the Chinese Government, it is the law of China that is to be applied." Granting that, in the case in question, the party have been plundered of their effects, it still remains necessary that the actual particulars be ascertained, after which compensation may be awarded accordingly. It cannot well be fixed *à priori*. The British Minister is requested, therefore, to refer to this statement already on record.

Inclosure 16 in No. 7.

Mr. Wade to the Prince of Kung.

Peking, March 26, 1875.

Sir,

I HAD the honour to receive yesterday your Imperial Highness's reply to my despatch of the 24th, communicating the demands which I had felt it my duty to make in the matter of the Momein outrage.

I understand your Imperial Highness to state that there will be no difficulty about the issue of passports for a second expedition, should the Viceroy of India see fit to send one, in the same form as those sealed by the Tsung-li Yamên last year, and that orders will be sent to Yünnan imperatively directing that effective measures be provided for guarding against danger.

In regard to the indemnity, on the acceptance and distribution of which I have left it to Her Majesty's Government to determine, there is a confusion between my demand for this and my demand for the punishment of the persons who may be found guilty of the outrage in Momein, a confusion which, after my explanations of the 19th and the 24th instant, ought not, in my opinion, to have been looked for. However, on both subjects, the indemnity to be claimed of the Chinese Government, and the punishment according to Chinese law of the persons found guilty, I shall have time enough to make my meaning clear on a future occasion.

The demand foremost in importance of the three that I laid before your Imperial Highness is that a British officer shall be present at the proceedings which the Imperial Decree of the 21st has instructed the Government of Yünnan to appoint carefully-selected officers to institute.

It is not necessary that in this despatch I should re-enumerate the instances of treachery and atrocity of which in the last few years foreigners have fallen victims, either by the direct action or the culpable indifference of Chinese officials.

The consideration on which I have from the first laid stress is this, that experience of the past makes it impossible for a foreign Government to accept as satisfactory the result of proceedings which have not been watched by a foreign official. It is for this reason that I have insisted so earnestly upon the necessity of having a British officer present at the proceedings which the Imperial Government has directed to be instituted in Yünnan. As I told your Imperial Highness at the Yamên on the 24th, as compared with the satisfaction of this condition, the payment of 10,000,000 taels indemnity would be valueless. What I require is explicitly set forth in my statement of the first of the three demands laid before your Imperial Highness on the 24th, and I repeat most positively that if any person or persons, official or non-official, charged as principals or accessories with participation in the Momein outrage, be punished before an opportunity be afforded Her Majesty's Government of assuring itself, by the presence of a British officer, of the truth or falsehood of the evidence adduced on the trial of the accused, I shall feel it my duty to impress on Her Majesty's Government, in the most uncompromising terms, my conviction that no report that may be received of trial or punishment ought to be accepted as trustworthy. What further action it may be necessary in such a case to take, it will be for Her Majesty's

Government to decide; my course is perfectly clear. With your Imperial Highness' despatches before me, I dare not allow the loss of another moment. I inclose three passports, which I require that the Yamên should seal and return to me before the evening of the 29th instant. Should this demand not be complied with, I shall consider my relations with your Imperial Highness at an end. I shall place my Legation under the protection of the Representative of a friendly Power, and I shall myself withdraw, with my suite, from Peking, as soon as it shall become practically possible for me to take this step.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 17 in No. 7.

Mr. Wade to the Prince of Kung.

Peking, March 26, 1875.

MR. WADE, Her Britannic Majesty's Minister at Peking, issues the following passport:—

"Whereas, at the instance of the Viceroy of India, a passport under date 31st July, 1874, was issued by the British Minister, to enable a small party of British officers and others to cross the frontier from Burma into Yünnan, information has been received from his Excellency the Viceroy, that on the 22nd February, this party was attacked near Sanda, in the jurisdiction of Têng Yüeh T'ing, by a body of Chinese troops, under orders of the Momein authorities; and that a British officer belonging to the party having been decapitated, with his Chinese followers, their heads have been exposed on the walls of the town in or near which the act was committed.

"And whereas, in reply to a Memorial of the Tsung-li Yamên, praying that officers be sent to the spot to institute proceedings, and to take action, an Imperial Decree of the 21st instant, has instructed the Government of Yünnan to depute competent officers to take such steps as justice may require, the British Minister now issues a passport to _____, an officer of Her Majesty's service, in order that he may immediately proceed, either overland or by sea, as may be found advisable, to the locality above indicated, to be present at the examination of any persons who may be brought to trial in this case.

"This is to inform all officers of the Chinese Government, to whom the passport may be exhibited, of the character and mission of the British officer holding it, and to invite them to afford him the protection which, on the part of the Chinese Government, the Tsung-li Yamên has promised; and in guarantee whereof the seal of the Yamên is affixed to this passport."

Inclosure 18 in No. 7.

Mr. Wade to the Prince of Kung.

Peking, March 27, 1875.

Sir,

I HAVE the honour to refer your Imperial Highness to my despatch of yesterday evening.

It is my duty to add that when the passports therein demanded are sent to me, I shall require with them a formal assurance in writing from your Imperial Highness that no person charged, whether as principle or accessory, either with having moved or caused to move the troops which attacked the British Mission in Momein, or with having directed or taken part in the murder of Mr. Margary, be put on his trial or punished before the arrival of the officer or officers to whom the passports in question are issued, for the purpose of enabling them to hear the evidence that may be taken for or against the accused. Without this engagement these passports will not be of the slightest value, and unless it be given I shall leave Peking whether the passports be sent me or not.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 19 in No. 7.

Mr. Wade to the Prince of Kung.

Peking, March 27, 1875.

Sir,

IN continuation of my despatch of the 26th instant, I have the honour to refer your Imperial Highness to the remark therein, that from the Memorandum inclosed to me on the 25th instant, there appeared to be some confusion between my demand for the punishment according to law of those who may be convicted of having taken part directly or indirectly in the outrages which have occasioned this correspondence, and my demand that

a sum of money be made payable to my order to be hereafter disposed of as Her Majesty's Government may decide. I repeat that the explanations I have already given are, in my opinion, sufficient to prevent misunderstanding of my meaning. However I will restate the case even more fully than before.

A party of British officers and others, to whom passports under the seal of the Tsung-li Yamên were issued last July, authorising them to pass from Burma into Yünnan, and to travel in China, were attacked on the 22nd February by a Chinese force in the sub-prefecture of Têng Yueh, otherwise Momein. My authority for this statement is a telegram from the Viceroy of India, who had received a telegram to this effect from the Chief Commissioner in Burma, a high officer of the Indian Government residing at Mandalay, capital of the kingdom of Burma.

From an observation made by one of the Ministers who called at the Legation on the 19th instant, it is evident that the Chinese Government is unacquainted with the relations between Burma and England; it is unaware that a large portion of Burma is a British province, and that, with the consent of the King of Burma, British officers of the Indian Government are stationed permanently at different points in his dominions for the surveillance of British interests. They are well acquainted with the language and people of the country, and their information is excellent.

In the telegram of the 2nd instant the Chief Commissioner in Burma states that the body who attacked the British party was but the advanced guard of a force of 3,000 men sent down by the Momein authorities to annihilate the British expedition. Of this, adds the Commissioner, there is not any doubt. He goes on to say that Mr. Margary was killed with his Chinese servants at a town called Man-yün (I am not sure of the Chinese characters used to write this name), and that his head and the heads of his servants were exposed on the walls of the town.

Mr. Margary, as your Imperial Highness is aware, was sent by me to meet this mission. Being thoroughly alive to the importance of having some one with the mission who, besides being acquainted with the Chinese language, was in other respects a competent agent, I specially selected Mr. Margary, a young man of great promise, for the service.

Since the arrival of the Viceroy's telegram announcing his murder, I have received, by way of Rangoon, a note written to me by Mr. Margary from Bhamo, dated the 18th January.

From this it appears that on reaching Momein he had found letters waiting for him from the Political Agent of the Indian Government stationed at Bhamo in Burma, informing him that the expedition would not be able to move forward quite so early as had been expected, and leaving it to him to wait for it at Momein or to come on as he thought best.

After some reflection Mr. Margary pushed on to Nan-tien and thence to Man-yün, at which place he found Li Ssü-tai engaged in an attempt to establish regulations for the trade of the tribes in the neighbourhood. From Man-yün he sent on his Chinese messenger Liu to Bhamo for instructions. Several days passed before Liu returned. During the whole of that time Mr. Margary remained at Man-yün, where he reports that Li Ssü-tai treated him with the greatest civility.

I draw particular attention to the fact of his friendly reception by Li Ssü-tai, and of his prolonged residence at Man-yün; because, according to the Chief Commissioner's telegram, it was by Li Ssü-tai's nephew that the attacking party was commanded on the 22nd February, and it is in or near Man-yün that Mr. Margary and his Chinese attendants were barbarously murdered.

I most distinctly protest, therefore, before any inquiry takes place, against all explanations attributing what has happened to misconception of the nature of the mission that has been repulsed. It consisted of a military officer, a medical man, an interpreter, and a civilian tourist without any official character—the four persons, in short, for whom the passports of July last were obtained. The Government of Yünnan was advised by the letter from the Yamên, which Mr. Margary carried with him, of the approach of the mission, and the direction it would probably take. The Governor of Yünnan sent officers with him as far as Yung Ch'ang. Mr. Margary passed a number of days at Man-yün in friendly intercourse with Li Ssü-tai, and the telegram announcing his arrival at Bhamo on the 17th January, which called for my letter of acknowledgments addressed to your Imperial Highness on the 3rd March, assured me (of course, on the testimony of Mr. Margary), that the Chinese officials in Yünnan were anxiously awaiting the mission.

It would be vain, in the face of these facts, to allege that the movement of troops by the Momein authorities was due to their alarms or suspicions.

And this brings me to the offences to be punished. There is, first, the attack on the Mission travelling under passport, and then the murder of Mr. Margary. The attack on the Mission is described by the Chief Commissioner in Burma as having been ordered by the Momein authorities. The authorities in this jurisdiction, as every one knows, are a general officer of the high rank of Tsung-ping and a sub-prefect. If the Tsung-ping or the sub-prefect, or both, gave orders for the attack upon the Mission without instructions from the Provincial Government, such an act, when followed by consequences so serious, as a late *cause célèbre* has shown, exposes the official responsible to the severest punishment.

If the movement of this force was ordered by the Government of Yünnan, the blame of the proceeding rests, of course, upon the latter as the superior authority of the Tsung-ping and sub-prefect.

In the matter of Mr. Margary's murder, it will similarly have to be established not only who committed the act, but by whose orders it was committed.

These are the offences for which I said Her Majesty's Government would look for no more than such punishment as the laws of China prescribe. The grand essential is a fair investigation, and at this it is imperative that a British officer should be enabled to assist.

My demand for an indemnity is entirely distinct from the punishment of the guilty persons, official or other, to whom I have just been referring.

As I explained to the Ministers of the Yamên when I first mentioned it, the sum I named was to be placed at my disposal for application, if Her Majesty's Government see fit, to the payment of an indemnity to the family of Mr. Margary; to the reimbursement of the Indian Government in the expenses of the Mission just repulsed, and of a second Mission, should the Viceroy of India see fit to send one into Yünnan; and lastly, to the liquidation of certain claims arising out of the acts or omissions of Chinese officials, settlement of which it has been found so far impossible to obtain.

The demand for the sum of 150,000 taels, I have verbally explained, was put forward to enable me, if the Chinese Government had yielded, to inform Her Majesty's Government by telegram that I had accepted this sum as sufficient to cover all pecuniary claims as against the Chinese Government. I also explained that if my other propositions, none of which I observed involved concessions lying beyond the limits of the Treaty, were also given effect to, the adjustment of what I knew would produce a startling outcry in England, would not fail to be facilitated.

As your Imperial Highness is aware, I have since informed Her Majesty's Government of the demand for indemnity laid before your Imperial Highness, and it remains to be seen whether Her Majesty's Government approve the amount I have named or the distribution of it I have suggested, or make demands of an entirely different nature.

When the officials of a Government are shown to have acted not once, but during a term of years, repeatedly, with treachery and ferocity towards the subjects of other Governments, it must rest with the latter, if their strength admit, to exact in a particular instance of the peccant Government such retribution as may at once atone for the past and make the future secure.

Whether Her Majesty's Government, in the case of a crime like that perpetrated in Momein, will be content to receive a money compensation at all; whether, if it be, it will regard the sum I have named as sufficient; or whether it will insist upon satisfaction in the form of fresh concessions, I shall not take on me to predict.

Your Imperial Highness will now, I trust, appreciate the motive of my reference to the subject of indemnity. But I repeat that it is entirely subordinate to my demand for such measures as will secure the identity of the persons guilty of the outrage in Momein, or their condign punishment. It is on the guarantee of the first condition that I have dwelt from first to last as before all other considerations essential, and if the means to this important end be not placed within my reach in the form and within the time prescribed in my despatch of yesterday, your Imperial Highness may rest assured that I shall pursue the course I have therein indicated.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 20 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 27, 1875.

TO prevent any further confusion upon the subject on the part of the Tsung-li Yamên I write to state that the discussion earlier raised regarding the rights of the British Minister,

as declared in the closing sentence of Article IV of the Treaty of Tientsin, is a matter entirely distinct from the demands made in my despatches of yesterday and this morning, as demands non-compliance with which will involve a rupture of relations.

In a conversation with certain of the Ministers at the Yamèn at the beginning of the new year I told them that the question was one respecting which great allowances had been made during the long minority which terminated in February 1873, and that the death of His late Majesty having rendered necessary a second minority, the duration of which could hardly be less than that of the first, it would be my duty on a fitting occasion to remind your Imperial Highness that the conditions of the Article quoted had never been fulfilled, and that the exaction of their fulfilment might at any time be open to Her Majesty's Government. I do not propose here to pursue the question farther. It is impossible that it should not one day be revived.

The essential requirement of the moment is the communication of the papers which I have asked for, if I do not receive which by the time I have specified, I shall act as I have stated I would.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 21 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 27, 1875.

TO prevent any farther confusion upon the subject on the part of the Tsung-li Yamèn, I write to state that the discussion earlier raised regarding the rights of British merchants, as declared in Article XXVIII of the Treaty of Tien-tsin and elsewhere, is a matter entirely distinct from the demands made in my despatches of yesterday and this morning, as demands non-compliance with which will involve a rupture of relations.

In a conversation with certain of the Ministers at the Yamèn at the beginning of the new year I told them that the question was one respecting which great allowances had been made during the long minority which terminated in February 1873, and that the death of His late Majesty having rendered necessary a second minority, the duration of which could hardly be less than that of the first, it would be my duty on a fitting occasion to remind your Imperial Highness that the conditions of the Articles referred to were very imperfectly fulfilled, and that the exaction of their fulfilment might at any time be open to Her Majesty's Government. I do not propose here to pursue the question farther. It is impossible that it should not very shortly be revived.

It is at the same time not to be confounded with the demands I have made regarding the Momein outrage.

The essential requirement of the moment is the communication of the papers which I have asked for, if I do not receive which by the time I have specified, I shall act as I have stated I would.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 22 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 28, 1875.

TO prevent the possibility of a misunderstanding on the part of your Imperial Highness as to the precise nature and extent of my demands in satisfaction of the outrage committed in Momein, I shall briefly re-state my case.

A small party of British officers and others entering Yünnan from Burma, with the full knowledge of the Chinese Government, central and provincial, and under passports furnished by the Tsung-li Yamèn, has been attacked in the sub-prefecture of Momein by a body of Chinese troops, sent against them, according to the Chief Commissioner of the Indian Government at Mandalay, by the authorities of Momein, and one of their number brutally murdered.

After some correspondence and discussion with your Imperial Highness and the Ministers of the Yamèn, I laid before your Imperial Highness, in a despatch dated 24th instant, three propositions, which were in sum as follows:—

1. That I should have passports for such officers as I might choose to send to Yünnan to be present at the trial of the persons charged in this case, such persons to be put on their trial after the arrival of the officers I send.

2. That I should have passports to enable a second mission from India, should the Government of India see fit to send one by the same route to visit Yünnan.

3. That I should have placed in my hands the sum of 150,000 taels, or an order for such a sum, to be hereafter applied as Her Majesty's Government might decide.

I received a reply to the effect that the travelling passport could be sealed and sent to me as soon as I furnished the names of the officers and other data, but that such indemnity only could be paid as might cover the duly-estimated loss of baggage and other articles sustained by the late mission. As to the despatch of British officers to the spot, your Imperial Highness observed, that it would be the duty of the Provincial Government of Yünnan honestly and energetically to make such inquiry as would possess it of the facts, to lay hands on the parties actually guilty of the murder, and to punish them as the law provides. Whether an officer of the British Government were sent forward or not, there was assuredly no disposition on the part of China to hush up the affair, or to close the affair by keeping back part of the truth.

The presence of a British officer at the investigation I had from the first declared to be the condition beyond all others important, and as every day's delay is now of the most serious consequence, on receipt of your Imperial Highness' reply as above, in which the concession of this important demand was evaded, I addressed your Imperial Highness my despatch of the 26th, and I supplemented it by a second despatch on the following morning.

The matter now stands thus:—Had your Imperial Highness seen fit to accede to the three propositions submitted in my despatch of the 24th, I should have pledged my Government, when the crime committed in Momein had been punished according to law, to demand no additional reparation.

As your Imperial Highness is aware, I have informed the Earl of Derby, by telegram, that these propositions have been laid before your Imperial Highness. Whether, if the indemnity I have named be refused me, there will be claimed the same or some other concession, it will be for Her Majesty's Government to determine. Until the term prescribed in my despatch of the 26th expire, I am prepared to accept it if your Imperial Highness offers it, and to pledge Her Majesty's Government to accept it as sufficient.

But the grand essential is the presence of a British officer at the proceedings to be had in Yünnan, and my course will be this.

If, within the time I have prescribed, your Imperial Highness sends me the passports and the communication I have asked for in my despatches of the 26th and the 27th, and at the same time agrees to place in my hands the sum of 150,000 taels, I shall telegraph to Her Majesty's Government that no farther demands in reparation of the Momein outrage should be made beyond the punishment according to law of the persons whose guilt may be established on the trial, at which the British officers sent by me are to assist.

Should your Imperial Highness, though still declining to accord the indemnity I demand, supply me with the papers above specified by the time appointed, I shall continue in relations with your Imperial Highness, but I shall at once proceed to Shanghae to request instructions as to what farther measure of reparation, whether in the form of indemnity or otherwise, I am to demand.

If by the time appointed I do not receive the papers required in my despatches of the 26th and the 27th, then, whether indemnity be promised or not, I shall break off relations with your Imperial Highness, and withdraw the Legation from Peking.

I have to add that if relations are broken off, I shall not renew them until I am directed by Her Majesty's Government to renew them, and that I shall urge Her Majesty's Government in the strongest manner to defer their renewal until the Chinese Government shall have made such additional concessions as will more effectually secure to Her Majesty's subjects and servants in this Empire the enjoyment unmolested of every legitimate right.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

P.S.—This despatch was being copied when the Ministers who, by your Imperial Highness' desire, came to see me to-day arrived. Nothing that has fallen from their Excellencies affects the decision I have already had the honour to communicate to your Imperial Highness. Their Excellencies will, of course, repeat what I have said to them, and I see no occasion for farther conference on the subject. If your Imperial Highness be willing to make the arrangement I have proposed to the Ministers, Mr. Mayers will proceed to the Yamên to morrow, at any hour that may be convenient, to withdraw the passport I inclosed in my despatch of the 26th instant, and to examine the draft of the despatch which your Imperial Highness desires to substitute for it. If your Imperial

Highness is determined not to yield this point, I feel it my duty, after all that has passed, to be on my side equally tenacious.

T. F. W.

Inclosure 23 in No. 7.

The Prince of Kung to Mr. Wade.

(Translation.)

WITH reference to the murder of the British interpreter, Mr. Margary, on the frontier of Yünnan, the Prince has to acknowledge the receipt of Mr. Wade's despatch of the 25th, his despatch of the 26th, and his four despatches of the 27th instant, all of which have been attentively perused. From the tenor of these several communications on the requirements of the case, it is apparent that the question of primary importance is that the officers to be named by Mr. Wade to proceed to Yünnan shall be present at the trial which is to be held in that province. It has already been declared by the Ministers of the Yamên, in their interviews with Mr. Wade, that this case [being] of a serious nature, it is agreed that the course above mentioned shall be followed, and that the Government of Yünnan shall be written to with directions that the officers now being sent to the province are to be allowed to be present at the trial of the case in question. Also that, as regards the passports to be used, they should be drawn up according to Treaty and to the precedent of last year. The further observations made by the British Minister, including a remark to the effect that, if the Prince had his difficulties, the British Minister must say the same, have all been brought by the Ministers to the Prince's knowledge. Subsequently to the interview in question, Mr. Wade's despatch of the same date was received, in which it is stated that if the Prince accepts the proposals made to the Ministers, Mr. Mayers could be instructed to call at the Yamên at any hour on the following day to withdraw the passports previously sent in, and to see the draft of the despatch to be forwarded on the Prince's part.

To reply in a concise but distinct manner, the Prince will now state that, in view of the extremely grave nature of the present case, he consents that the officers to be appointed by Mr. Wade shall be present at the trial of the case in question when held by the authorities of Yünnan. The passports to be given them shall be drawn up in accordance with Article IX of the Treaty, and with the precedents of former years, including that of July last, instructions being sent at the same time to the Governors of the different provinces to take action accordingly. If the British Minister will draw up passports in the form of those used last year, and send them to the Yamên, they shall be sealed and returned without delay.

The Prince is further willing to make a concession in this case beyond the limits [which may be considered due], that is to say, with reference to the question of indemnity put forward by the British Minister, he would consider the propriety of acting in the manner which the British Minister had suggested respecting the award of compensation to the family of Mr. Margary, as stated by Mr. Fraser and Mr. Mayers in their interview with the Ministers of the Yamên. No memorial to the throne or official report has, for the present, been received from the Government of Yünnan with reference to the affair in question; but the Prince, in his earnest regard for the friendly relations between the two countries, and profoundly grieving for the unhappy fate of Mr. Margary, is impelled to overstep the ordinary bounds and to propose this measure in advance [of the receipt of further information]. This done, the Prince's regard for what is due to the friendly relations subsisting between the two countries [will be seen to be] exerted to the uttermost. His earnestness in the treatment of the present case in the stage at which it has arrived [will be seen to] lack nothing of completeness. The extreme of consideration having been reached, and the utmost limit of just requirements attained, the mind need have no cause for self-accusation, and the sight of others may be freely faced.

The Prince forwards this communication in reply to the British Minister.

P.S.—If the British Minister agrees with the above, the Prince requests that, as already proposed, Mr. Mayers be sent to the Tsung-li Yamên to have a copy made from the drafts of the passports issued last year, filling in the names of the officers to whom they are to be given, and the number of individuals for whom they are required, the necessary steps being taken thereupon as previously agreed.

Kwang Sü, 1st year, 2nd moon, 22nd day (March 29, 1875).

Inclosure 24 in No. 7.

*Mr. Wade to the Prince of Kung.**Peking, March 29, 1875.*

Sir,

I HAVE the honour to acknowledge receipt of your Imperial Highness' despatch of this date.

The offer of indemnity therein made I beg most positively to decline. The whole question of indemnity must now be referred to Her Majesty's Government.

What I am prepared to do in the matter of the passports, Mr. Mayers will explain to the Ministers who receive him at the Yamên.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 25 in No. 7.

The Tsung-li Yamên to Mr. Wade.

(Translation.)

Peking, March 29, 1875 (received 9 P.M.)

WITH reference to the matters discussed this day, as His Imperial Highness the Prince has not yet returned to his residence, the Ministers have been unable to take his instructions. In any case, however, one or other of the two courses which were spoken of to-day shall positively be adopted, viz., either the Minister Superintendent of the Northern Ports shall be instructed to appoint an official to escort the officer who is to be appointed by Mr. Wade to proceed to Yünnan, in which event passports shall be given in the form laid before the Ministers by Mr. Mayers this afternoon, or else the passports sent in by Mr. Wade on the 26th instant shall be sealed and returned to him.

As time does not admit of the necessary steps being taken this day, the Ministers write the present note, and they will further address Mr. Wade on a determination being arrived at to-morrow.

The official replies shall be forwarded when time permits (or in good time,—time being allowed.)

Inclosure 26 in No. 7.

*Mr. Wade to the Tsung-li Yamên.**Peking, March 29, 1875, 9 P.M.*

MR. WADE has the honour to acknowledge receipt of the note of their Excellencies the Ministers of the Yamên.

Mr. Wade begs to remind their Excellencies that the time prescribed in his despatches of the 26th and 27th expires at 12 to-night. As, however, he has received the note under acknowledgment he will request Mr. Mayers to wait on their Excellencies to-morrow at any hour they may name.

Mr. Wade has no new proposition to make. Mr. Mayers goes to the Yamên merely to prevent mistakes.

Mr. Wade, in conclusion, once more repeats that an essential point is that he should be furnished with the explicit assurance he has asked for.

Inclosure 27 in No. 7.

*Mr. Wade to the Prince of Kung.**Peking, March 30, 1875.*

Sir,

I HAVE the honour to refer your Imperial Highness to my despatches of the 26th and 27th instant.

In the first I stated that I required to have the passports inclosed forwarded to me duly sealed on the 29th instant. In the second I informed your Imperial Highness that, unless these passports should be accompanied by a despatch from your Imperial Highness formally assuring me "that no person charged, whether as principal or accessory, either with having moved or caused to move the troops which attacked the British mission in Momein, or with having directed or taken part in the murder of Mr. Margary, be put on his trial or punished before the arrival of the officers to whom the passports in question are issued for the purpose of enabling them to hear the evidence that may be taken for or against the accused."

Without this engagement, I added, these passports would not be of the slightest value.

On the 28th instant the Grand Secretary Shên and other Ministers came to the Legation to urge me to take back the passports I had sent to be sealed, alleging that your Imperial Highness made difficulty about sealing passports in the form of these. I was, therefore, requested to substitute passports in another form. The Ministers declined to give me any reason for the proposed alteration, except that your Imperial Highness desired it. Nevertheless, after some consideration, I did on the 29th instant, withdraw from the passport all the matter to which your Imperial Highness was understood to object, and Mr. Mayers was sent yesterday to the Tsung-li Yamên with a new draft simply stating that the bearers were on their way to Yünnan by my desire for the purpose of being present at an enquiry into the murder of a British officer. Mr. Mayers was instructed at the same time to press for the appointment of a Chinese officer who should accompany those I proposed to send to Yünnan.

There being no time after this Conference to prepare the passports so that they might be sealed within the time prescribed in my despatch of the 26th instant, I agreed to accept a note or message, which was to be sent me in the course of the evening, as sufficient, if it promised fulfilment of my conditions.

At 9 last night a messenger from your Imperial Highness' residence brought a note from the Grand Secretary Shên and his colleagues to the effect that I should certainly have the passports, either in the form I at first proposed, or in the revised form proposed yesterday, and that your Imperial Highness' despatch would be sent me "all in good time."

I replied reminding their Excellencies that the time I had prescribed would expire by midnight, but that having received their note I would send Mr. Mayers to the Yamên to-day at any time their Excellencies might please to name.

I beg now to observe that I have made the alteration your Imperial Highness desired in these passports to oblige your Imperial Highness. I have recommended the appointment of a Chinese official to accompany the bearers, not only as a provision for the efficacious protection guaranteed by the Treaty, but as a special security against further complication of the particular case I am now dealing with. It formed, however, no part of my original proposition, and if consideration of it is to involve further delay in the transmission of the passports and despatch demanded in my communications of the 26th and 27th instant, I withdraw it. The Chinese Government is responsible for the security of the officers proceeding under passports to Yünnan.

What is absolutely indispensable is that I should be supplied, without further loss of time, with the papers above demanded. I must positively decline to wait the indefinite length of time suggested by the Ministers' note of last night, and I must request your Imperial Highness to have forwarded to me by 12 o'clock this evening the following papers:—

1. Two passports for the officers sent to be present at the trial, either those inclosed in my despatch of the 26th instant or those I now inclose, which are in the form communicated to the Ministers who received Mr. Mayers at the Yamên yesterday.

2. The passports sent herewith in duplicate for a new mission from India should the Viceroy of India see fit to send one.

3. The despatch which, in mine of the 27th instant, I stated I should require, assuring me that no one should be punished till the officers sent by me should have had an opportunity of hearing the evidence against him, and without which, I stated in my despatch of the 27th instant, the passports to the officers I am sending to assist at the investigation in Yünnan, would be valueless.

As I have promised to send Mr. Mayers to the Yamên, he will proceed thither at the hour the Ministers may appoint; but I cannot consent to further discussion either in conference or correspondence regarding these demands, and if they be not sent me by the hour I have named I shall assume that the Chinese Government is trifling with me, and I declare most positively that my relations with the Tsung-li Yamên will be broken off accordingly.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 28 in No. 7.

Passport for British Officers proceeding to Yünnan to be present at the Trial.

MR. WADE, Her Britannic Majesty's Minister in Peking, issues the following Passport to ——— British officers proceeding by his desire to Yünnan for the purpose of being

present at the trial of persons charged with the murder of a British officer in that province:—

This is to request the Governor-General of Yünnan, and the High Authorities of any other provinces through which the officers above mentioned may have to pass, to give orders to their subordinates in charge of the frontier passes or elsewhere to treat them with civility, and to assist them on their way with all speed.

Dated

Stamped with the Seals of Her Britannic Majesty's Minister at Peking and of the Yamên of Foreign Affairs.

Inclosure 29 in No. 7.

Passport for future Expedition from India.

MR. WADE, Her Majesty's Minister at Peking, has received an intimation from the Viceroy of India to the effect that officers of his Excellency's Government are about to pass from ^{Burma to China} _{China to Burma} with a certain number of followers. The officers in question may return by the way they came, or may proceed by way of the Great River to Shanghai.

This is to request the Governor-General of Yünnan, and the High Authorities of any other provinces through which the officers above mentioned may have to pass, to give orders to their subordinates in charge of the frontier passes or elsewhere to treat them with civility, and to assist them on their way with all speed.

Their names and the names of their attendants are given below.

Dated 1875.

Stamped with the Seals of Her Britannic Majesty's Minister at Peking and of the Yamên of Foreign Affairs.

Inclosure 30 in No. 7.

Minute of Mr. Mayers' Visit to the Yamên, March 30, 1875.

March 30, 1875 (2nd moon, 23rd day).—Mr. Mayers called at the Yamên and saw the same Ministers as yesterday, with the addition of Hsia.

His Excellency Shên stated that the Prince had decided to follow the alternative course proposed, viz., to grant the passports called for in Mr. Wade's despatch of yesterday, and to appoint an officer to proceed accordingly with Mr. Wade's delegates to Yünnan.

Mr. Mayers delivered the purport of his instructions, laying particular stress on the necessity of a distinct assurance being given officially with the passports that no conclusive trial and punishment of the persons accused in this case shall be carried into effect before the British officials are enabled to be present at the proceedings.

Inclosure 31 in No. 7.

The Prince of Kung to Mr. Wade.

(Translation.)

THE Prince has received the British Minister's despatch of this date, inclosing four passports to be stamped, of which two are intended for officers whom the British Minister will appoint to proceed to be present at the trial held in connection with the murder of Mr. Margary in Yünnan, and two are provided for use in the event of a further expedition being sent by his Excellency the Viceroy of India, to proceed either from Burma to Yünnan or by way of Yünnan into Burma.

The Tsung-li Yamên has affixed its seal to each of these passports, and they are forwarded herewith to the British Minister. The three passports which were sent in on the 26th instant are consequently at the same time returned.

As regards the trial and punishment to take place for the murder of Mr. Margary in Yünnan, the British Minister has required in his despatch of the 27th instant, that "no person charged, whether as principal or accessory, either with having moved or caused to move the troops which attacked the British mission in Momein, or with having directed or taken part in the murder of Mr. Margary [shall be allowed to] be put on his trial or punished before the arrival of the British officers who are to be despatched to the spot." In reply, the Prince of Kung has to state that, with reference to this case, the Tsung-li

Yamên has received in reply to its Memorial an Imperial rescript, commanding the Government of Yünnan to institute effective inquiry and action in the matter, as has already been communicated to the British Minister. On receipt of this Imperial command, the Government of Yünnan will necessarily act in reverent obedience, and proceed without delay with an inquiry and judicial investigation. The Tsung-li Yamên is for the present in receipt of no reply from the Government of Yünnan, informing it whether [the persons accused] have been placed on trial. Be this as it may, however, whether the parties concerned as accused or as witnesses have already been brought before a Court for examination or no, the Prince of Kung expressly declares that, when the time has arrived for the final decision of the case, the officers whom the British Minister is about to appoint for the purpose shall assuredly be present to watch the proceedings, in order to insure the integrity [of the action taken] and to guard against culpable leniency [in the treatment of guilty parties].

The Tsung-li Yamên has written to the authorities of Yünnan, in addition to which the present reply is forwarded to the British Minister.

Kwang Sü, 1st year, 2nd moon, 23rd day (March 30, 1875).

Inclosure 32 in No. 7.

Mr. Wade to the Prince of Kung.

Sir,

Peking, March 31, 1875.

I HAVE the honour to acknowledge your Imperial Highness' despatch of last evening, inclosing the four passports I had required, and conveying to me your Imperial Highness' positive assurance that the officers I am about to send to Yünnan shall be present at the trial of any persons charged with participation in the outrage which has occasioned this correspondence.

In a note received on the night of the 29th instant from the Grand Secretary Shên and his colleagues, it was stated that the Minister Superintendent of Trade for the Northern ports would be called on to send an officer with those for whom I have obtained passports; and in a telegram sent this day to the Foreign Office I have stated that they would be so accompanied.

I should be obliged to your Imperial Highness to lose no time in communicating with the Minister Superintendent, and to inform me how soon the officer his Excellency may select will be ready to proceed, in order that I may give the necessary directions.

I proceed myself to Shanghai for this purpose upon the 3rd April.

I renew, &c.

(Signed)

THOMAS FRANCIS WADE.

No. 8.

Mr. Wade to the Earl of Derby.—(Received June 6.)

(Extract.)

Shanghai, April 15, 1875.

IN my despatch to the Prince of Kung of the 30th of March, I have referred to a letter received by me from Mr. Margary. Omitting a few observations which would only have been made to me confidentially, I have had a copy taken of this letter, which I have now the honour to forward to your Lordship.

Inclosure in No. 8.

Mr. Margary to Mr. Wade.

(Extract.)

Bhamo, January 18, 1875.

HAVING reached Bhamo in plenty of time to join the expedition, I take the liberty of reporting my movements direct to your own hands. The last occasion on which I was able to communicate with Hankow was from Yung-ch'ang-fu, on the 29th December. After that I travelled on to Têng-yueh, and there received a packet of letters forwarded by Captain Cooke, who is our Political Agent at Bhamo, informing me that the expedition was not to start till the middle of January, and directing me to join it at the latter place if it seemed practicable to do so. Captain Cooke himself recommended my awaiting its arrival at Têng-yueh, but left me free to do as I thought best. As there were only seven stages between Têng-yueh and Bhamo, and four of these lay through the level plains of the Shan Principalities, over which there was no impediment to rapid marching, I was

able to carry out a plan of co-operation which has thoroughly succeeded. Instead of waiting at Têng-yueh, I was at all events justified in pushing on to Nan-tien, where the various routes converged; and there was no danger in going further still up to Man-yün (or Manwynne), whence I could fall back in two days, if I heard of the approach of the party, information being readily procurable. Accordingly I sent my very excellent messenger Liu (a man whom Mr. Medhurst kindly spared for my use), with all speed to Bhamo, whence he was to return and bring me definite instructions at Man-yün, whether to proceed or fall back. Liu reached Bhamo in six days, and was sent back with a Burmese guard of 40 men to conduct me over the Kakhyen hills. I had travelled leisurely on through the lovely valley of the Paiji (Shans), picking up information, and learning what I could of their language, and after a very delightful stay among these amiable people, crossed the savage territory with my queer escort, and reached Bhamo only two days after the arrival of Colonel Browne and Dr. Anderson. It was a delightful sensation meeting with a warm reception from such distinguished fellow-countrymen, and I was overwhelmed with congratulations on having carried out so splendid a journey. The English steamer which brought up Colonel Browne had been delayed nearly a fortnight by sticking on sandbanks, so that the expedition has not been able to start yet, and I have a prospect of perhaps ten days' rest before resuming the journey.

As for my own disbursements, I feel pretty confident of keeping well within the limit of 2,000 dollars, in spite of this extra bit tacked on to my journey. Everything has gone well. The Acting Viceroy of Hunan, Shên Tu-jên, has helped me through with the most thorough hospitality and friendliness. He not only deputed two Wei-yuans of respectable rank to conduct me to Yung-ch'ang-fu, but sent such weighty instructions along the route that all the mandarins have felt constrained to show me every respect and the highest honours. I have only to except one official from this unreserved commendation. The Prefect of Yung-ch'ang was pointedly rude. I have had most successful interviews, and met with kindness and civility throughout. It is not possible to give you a more detailed account in a hurry, for I am writing against time and the steamer's departure. But I have certainly been able to drop good seeds of amity and to remove false impressions along the route. A very appreciative disposition exists towards the English.

The famous Li Chen-kwo (*alias* Li Ssü and Li Hsieh-tai), who attacked the Sladen expedition, and has been called a brigand and other hard names, turned out to be an exceedingly courteous, intelligent, and straightforward man. He has done everything to facilitate the advance of the expedition, and treated me with unexpected civility, even to the act of the Ko-t'ou. He was at Man-yün with a special Commission to try and effect a Treaty with the savage Kakhyens, and to establish a regular system of tariff, and fixed stations for its collection, in lieu of the very irregular and vexatious black mail now levied by these lawless hill men on the mule caravans. He was daily surrounded by a large conclave of savage chieftains and prominent townsmen discussing the subject from morning till night. He told me that the matter had yielded a tou-hsü at last. My Chinese have behaved excellently well. I hope to write again before we start; in the meantime, I shall remain, dear Sir, in the firm hope of having gained your approbation.

No. 9.

Mr. Wade to the Earl of Derby.—(Received June 6.)

My Lord,

Shanghai, April 16, 1875.

SOME expressions of a doubt have reached me as to the extent to which the authority of the Chinese Government is recognized in the country in which Colonel Browne's Mission was attacked.

The city spoken of from the western side as Momein is the chief city of the Chinese sub-prefecture of T'êng-yüeh-t'ing, the residence of the sub-prefect, and a military officer styled "Tsung-ping," a title generally translated as General of Division. The latter has of course his own division under him, and is, besides, chief authority over the tribes in the vicinity, who recognize the Emperor of China as their suzerain.

I inclose translation of a Memorial from the present Governor of Yünnan, after the suppression of the Panthai rebellion, from which it will be seen that the Government of China claims full power over these tribes, whether in respect of control or protection. Its relation to them is precisely the same as that entertained by it to many wild highland races in the heart of the Empire, notably to those on the borders of Kwang-si, Hu-nan, Kwei-chow, and the inland frontier of Yünnan.

It is noteworthy that the Prince of Kung in his late correspondence with me has

nowhere attempted to deny the ability of the Chinese Government to do its duty as a Government in the country in question.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 9.

Extract from the "Peking Gazette" of August 20, 1873 (12th year of Tung Che, 7th moon, 4th day).

(Translation.)

CHINESE JURISDICTION IN THE SHAN STATES OF SOUTH WESTERN YÜNNAN.—The Governor of Yünnan, Ts'ên Yü-ying, memorializes as follows:—

With reference to the Chieftains of the following territorial divisions, subject to the Prefecture of Yung Ch'ang, viz.:

The Shan Prefecture of Mêng-ting.
The „ Department of Wan-tien.
The „ Department of Chên-k'ang.
The „ Tsaubwaship of Ts'ien-yai.
The „ „ of Lung-ch'wan.
The „ „ of Chê-fang.
The „ „ of Sanda.
The „ „ of Lu-kiang.
The „ „ of Mang-she.
The „ „ of Nan-tien.
The „ „ of Mêng-mow.

The Directorship of Latha and the following divisions, subject to the Prefecture of Shun-ning, viz.:

The Shan Tsaubwaship of Kêng-ma; and
The „ „ of Mêng-lien.*

It has to be represented that the region of country they occupy is of very wide extent, in immediate contiguity to the barbarians of Burma. Since the outbreak of the rebellion, some among these have sacrificed their all to relieve the necessities of the State, or have fallen in battle against the insurgents. Some have been compelled by the rebels to yield them suit and service; and in the case of others, the legitimate branch has been overthrown through the machinations of members of the family, who have declared themselves invested with the functions of government as vicegerents. In many cases the seals of office and warrants of title have disappeared, and the barbarian multitude know not where to look for authoritative guidance.

It is of urgent importance, now that peace has been established, to restore matters generally to a footing of order, to the end that ease and tranquillity may prevail throughout the frontier region. Your servant has now taken action, with his subordinates the Prefects of Yung-ch'ang and Shun-ning under his command, to summon a general assembly of the native Chiefs, and to institute a detailed investigation, applying for rewards on behalf of those who have most highly distinguished themselves in the offensive or defensive operations against the rebels, and preparing a return of those who have fallen in action or have otherwise sacrificed their lives on behalf of the State, to be submitted to the Throne with requests for tokens of Imperial sympathy.

In the case of any who may be entitled to hereditary Chieftainships, the Governor will consult with the Governor-General with reference to the address of applications to your Majesty for confirmation of the succession. Where seals and warrants of title are missing, a re-issue will be applied for. Should there be any who continue to show themselves hardened in iniquity, steps will be taken to sweep them from the face of the earth.

The Governor, whilst not venturing to take rash and unwarrantable action, will equally feel it his duty not to show a culpable leniency in countenancing evildoers. By such means authority may be restored to vigour, and the barbarians of the marshes be

* In the renderings given above, the comparatively well-known Burmese designation "tsaubwa" is employed for the equivalent high-sounding titles, of two or three different degrees, conferred on chieftains of the Shan States. The three first on the list are organized on the departmental system of the Chinese Empire, as part of the regular provincial administration.—W. F. M.

impressed with a feeling of awe, in fulfilment of your Majesty's desire for the prevalence of law and order along the frontiers of the Empire.

No. 10.

Mr. Wade to the Earl of Derby.—(Received June 6.)

(Extract.)

Shanghai, April 17, 1875.

JUST before leaving Peking I again addressed the Prince of Kung on the appointment of an officer to accompany those who might be sent by me to assist at the investigation to be held in Yünnan. I informed His Imperial Highness that my officers would be ready perhaps on the 25th, and not later than the 30th of March.

When passing through Tien-tsin I instructed Her Majesty's Consul, Mr. Mongan, to wait upon the Governor-General Li, as he was the authority who, the Prince had decided, was to choose the Chinese officer about to proceed, and to remind his Excellency, as I had already reminded the Prince, that the officer in question went not to take part in the inquiry, but simply as an additional guarantee for the safety of the British officers travelling under passports.

The Governor-General, who was prevented by the State mourning from leaving his Yamên, received Mr. Mongan very courteously, and entered at some length into a consideration of the routes by which his officer and mine were to proceed, and I received last evening a despatch from the Prince of Kung, translations of which I inclose. It contains all the assurances I could desire regarding the relations of the officer selected by the Governor-General to the mission I am to send. I know the man by repute, and have a good opinion of his intelligence.

The Prince's despatch inclosed is really a reply to that from me, to which I have above referred. Copy of the latter shall be forwarded as soon as it is received from Peking.

Inclosure in No. 10.

The Prince of Kung to Mr. Wade.

(Translation.)

THE Prince has to inform the British Minister that a note was received on the 4th instant from the Minister Superintendent of Trade for the Northern Ports to the following effect:—

“With reference to the case in connection with the murder of the British Interpreter, Mr. Margary, in which an official is to be appointed by this provincial Government to accompany the British officers who are to proceed to Yünnan to be present at the trial, I am of opinion that Sung Pao-hwa, a Prefect by rank, decorated with a peacock feather, and at present acting in the office of Maritime Sub-Prefect of Tien-tsin, as a man of a certain degree of intelligence, is a fit person for the discharge of this duty. I have instructed him to proceed at once by steamer to Shanghai, and to make arrangements with the officers to be nominated by his Excellency Mr. Wade with reference to the journey. He will call upon the local authorities along the line of route to afford efficient protection. His position will be that of delegate accompanying the British officers, but with no voice in the proceedings connected with the case to be brought to trial.”

The Prince transmits the foregoing, accordingly, for the information of the British Minister.

Kwang Sü, 1st year, 3rd moon, 1st day (April 6, 1875).

No. 11.

Mr. Wade to the Earl of Derby.—(Received June 6.)

My Lord,

Shanghai, April 17, 1875.

I HAD been unable to identify the town of Man-wyne, the scene of Mr. Margary's murder. Mr. Medhurst has drawn my attention to an account of embassies exchanged between China and Burma which was republished in the “Chinese Repository” for November 1840, from the journal of the Asiatic Society of Bengal. The account was prepared by Colonel Burney, formerly resident at Ava; from the itinerary appended to the Burmese

Envoy's report of a mission sent in 1833, it appears that Man-wyne, there spelt M6-wún, is the Chinese city of Lung-chuen-fu, a prefecture, or department, of the Province of Yünnan. In the language of the Shan tribes it is called Mung-wan. (See "Chinese Repository," vol ix, page 473.)

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 12.

Lord Tenterden to Sir L. Mallet.

Sir, *Foreign Office, June 16, 1875.*
I AM directed by the Earl of Derby to transmit to you, to be laid before the Marquis of Salisbury, the accompanying printed correspondence relating to the attack upon the Yünnan mission and the murder of Mr. Margary.

Mr. Wade's proceedings, as reported in his despatches of the 14th, 15th, 16th, and 17th of April, have been approved, and I am to request you to move Lord Salisbury to favour Lord Derby with his views as to the despatch of a fresh mission to Yünnan, and as to any indemnity which his Lordship may consider to be due to the Indian Government for the failure of the late expedition.

I am, &c.
(Signed) TENTERDEN.

No. 13.

The Earl of Derby to Mr. Wade.

Sir, *Foreign Office, June 16, 1875.*
I HAVE received and laid before the Queen your despatches of the 14th, 15th, 16th, and 17th of April, respecting your proceedings in regard to the attack upon the Yünnan mission and the murder of Mr. Margary, and I have to acquaint you that your conduct is approved of by Her Majesty's Government.

The questions as to the demand for compensation from the Chinese Government, and the despatch of a fresh mission to Yünnan, are under consideration, and instructions will be sent to you as soon as a decision has been taken upon them.

I am, &c.
(Signed) DERBY.

No. 14.

Mr. Wade to the Earl of Derby.—(Received June 21.)

My Lord, *Shanghai, May 1, 1875.*
I HAVE the honour to forward your Lordship translations of two despatches, dated 14th April, which I have received from the Prince of Kung, and copy of my reply.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 14.

The Prince of Kung to Mr. Wade.

(Translation.)

ON receipt of the British Minister's despatch of the 12th of March, respecting the murder of Mr. Margary on the Yünnan frontier, the Yamén of Foreign Affairs, on the one hand, wrote with the utmost despatch to the Governor-General and Governor of Yünnan to order an inquiry to be instituted and report to be made with all promptitude, and, on the other, addressed a special Memorial to the Throne, in reply to which a Decree was received, ordaining inquiry and action in the matter. Replies were at the same time addressed to the British Minister. These proceedings were actuated by [a desire] to give due weight to [the treatment of] a case of murder, and to maintain unimpaired the relations [between the two] countries. Properly speaking, the correct course to pursue was to

await the Memorial in which the Government of Yünnan would, in obedience to the Imperial Decree, have reported the actual circumstances of the case, and thereupon to address a communication to [the British Minister] and discuss the consequent arrangements. The British Minister, however, with an urgency admitting no delay, addressed communications to the Prince with reference to the whole of the proceedings to be taken in the matter, on the 22nd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, and 31st March and the 2nd April, to the number of fourteen in all. Whilst the Prince, on his part, had received no report from the provincial Government of Yünnan, distinctly setting forth the actual causes of the collision, the British Minister, on the other hand, was pressing him day after day with an extreme degree of urgency, and he was consequently, for the moment, unable to return a detailed categorical reply. He now feels it his duty to communicate answers to those portions of the despatches received to which it is necessary that rejoinder should be made, in addition to the replies already forwarded to the British Minister on successive dates. These are appended, Article by Article, below for the British Minister's information.

1. On the 25th March the British Minister wrote to the effect that the suggestion that officers might be stationed in Yünnan to observe the conditions of trade was advanced in conformity with Article IX of the Treaty, which provides for travel in the interior, and did not at all imply the intention of appointing officers as Consuls there, and that [it might become necessary] to send British officials to inland centres, it may be to remonstrate with the local authorities, or in any case to report upon facts.

The Prince has to observe hereupon that the IXth Article of the Treaty has for many years been acted upon in conformity with its provisions. When passports were issued last year to the officers about to visit Yünnan, this was done, under Article IX, as to travellers. They were invested with no authority for the discharge of official functions, and they were consequently possessed of no powers of "remonstrance with local authorities." Inasmuch as the British Minister had undertaken nothing in excess of Treaty provisions, neither the Prince nor the Ministers of the Yamên suspected him of any intention* to appoint Consuls to reside in Yünnan. The statements made and intentions entertained in this respect are distinctly understood on both sides, and will by both sides be adhered to.

Touching the passports issued on the present occasion, however, for officers who are to proceed to Yünnan, it is stated in these documents that the bearers are to be present at a trial. It was in consideration of the murder of Mr. Margary, whose fate is deeply to be deplored, that a mode of action was conceded beyond the proper rule. What has been done in this instance must not be appealed to as a precedent.

If his Excellency the Viceroy of India should send another party of officers to Yünnan, the number of officers sent and their names must be set forth in the stamped passports which have been issued for their use, and the number of officers with their names be communicated by the British Minister to the Yamên, in order that the particulars may be forwarded for the cognizance of the Government of Yünnan.

2. With reference to the Memorandum received from the British Minister on the 20th March, on the subject of diplomatic rights and privileges as accorded by international usage, and his despatch of the 27th referring to the same subject in connection with Article IV of the Treaty, the Prince has to state that Articles of Agreement were drawn up in the year 1873 between the Prince and his colleagues and the Ministers of the five Powers. When His Majesty the Emperor shall hereafter assume in person the reins of Government, action can be taken, as a matter of course, in conformity with this Agreement. Nothing further can be conceded.†

3. With reference to the British Minister's despatch of the 27th instant, on the subject of Article XXVIII and others of the Treaty, the Prince has to observe that as regards the payment of customs' and inland duties by foreign imports and Chinese exports, the XXVIIIth Article of the Treaty and the five Supplementary General Regulations afford a rule by mutual attestation, which it is obviously right should invariably be followed. Within the last few years, the Yamên of Foreign Affairs has drawn up three rules relating to drawbacks, exemption certificates, and transit passes, which were transmitted for the information of the British Minister. If it be wished to arrive at a well-considered and satisfactory system of action, the only way to do so is by proceeding on this basis. Nothing further can be conceded.‡

* Reference is of course made here to the explanation given in the despatch of March 25, in which future possibilities are adverted to.—W. F. M.

† The word translated above as "conceded" may be rendered "negotiated," "discussed," or "agreed." The sentence might be rendered, "The matter admits of no further discussion."—W. F. M.

‡ See previous foot note,

It was observed, in a note received from the British Minister on the 24th August, 1871, that "trade with China is to the advantage of foreign merchants, but through the abuses which [have arisen] in great number, the Customs' revenue is caused to suffer." This remark adequately proves how thoroughly the British Minister appreciates the conditions appertaining to trade. If merchants in general would but truly abide by the provisions of the Treaty, there would be no need whatever for the discussion of any further arrangements. Moreover, it has to be said, the permission given by the Chinese Government for the re-importation of native produce (the coast trade), was granted to the mercantile class as a privilege in excess of their rights. Since, however, abuses have grown out of this in daily increasing number, and the Customs' revenue from duties and tonnage dues has in consequence suffered continual diminution, the Chinese Government contemplates entering on a full consideration of this subject with the British Minister.

4. With reference to the despatch of the 2nd instant, in which the British Minister refers to a [possible] disposition to bar the way to free inquiry in connection with the officers who are to be sent to Yünnan, the Prince has to observe that he has consented to allow the officers in question to be present to witness the proceedings when the case is finally brought to trial* in Yünnan, without any intention of subjecting them under restrictions (barring the way to inquiry). Beyond the fact, however, of [allowing these officers to be] present to witness the trial, no promise has been made on the Prince's part. As regards the passage in the British Minister's despatch, to the effect that "no pains must be spared in the attempt to arrive at the truth," it is, of course, for the Government of Yünnan to adopt measures with a view to guard against culpable laxity being shown.

5. In successive despatches the British Minister has treated of an indemnity in connection with the affair of Mr. Margary. On this subject it must be stated that in the case of crimes punished by the Chinese Government, the laws must guide the penalty to be inflicted. No compensation (or indemnity) is liable to be paid over and above the infliction of punishment for the act of crime. [Nevertheless] the Prince, mindful of the sad fate of Mr. Margary [was ready] to make a concession based on the British Minister's proposals, and offered compensation for any actual losses which might be proved on inquiry to have been sustained on the part of Mr. Margary and those with him, whether killed or wounded, through the pillage of their effects; but to this the British Minister did not agree. In a subsequent despatch the Prince further offered to consider the propriety of acting in the manner which the British Minister had suggested respecting indemnity for Mr. Margary. This was unquestionably in excess of the legitimate bounds of liberal treatment, and beyond this no claim for indemnity could be entertained. The British Minister, in his reply, declined acceptance of the offer. In point of fact the circumstances of the case should be investigated before deciding whether any compensation ought to be agreed upon. This point remains to be further dwelt upon.

6. As regards the passports originally given in this case, on the British Minister having specified the number of officers to be sent, and other particulars, and having applied to the Yamên for its stamp upon the passports, the Yamên communicated the particulars, as they were given, to the Government of Yünnan, for its information. All that the Government of Yünnan, for its part, could do was to afford protection, with due care, to the officers, as specified, and under the circumstances as set forth in the passports which were given. If, in the case of Mr. Margary's expedition, or of any future expedition to be sent by his Excellency the Viceroy of India to Yünnan, the number of the officers and other particulars should not tally with what has been set forth in the passport, the discrepancy even reaching, possibly, very wide proportions, it would be out of the power of the Government of Yünnan, and of the local authorities also, to act on their side in conformity [with the wording of the passports]. This point remains to be further dwelt upon.

Dated Kwang Sü, 1st year, 3rd moon, 9th day (April 14, 1875).

Inclosure 2 in No. 14.

The Prince of Kung to Mr. Wade.

(Translation.)

IN the matter of the murder of Mr. Margary on the frontier of Yünnan the Prince has agreed, as a concession, beyond the limits of what is due, that the officers who are to be sent to Yünnan by the British Minister shall be present at the trial to be held; and, passports having been stamped, the Minister Superintendent of Trade for the Northern

* "Ting-an," *lit.*, the settlement or disposal of a judicial case; the proceedings taken when sentence is pronounced, as distinct from the preliminary hearing.—W. F. M.

Ports has been desired to appoint an official to accompany the officers on their journey, as has already been stated. In this case, however, when writing to request that action be taken, the British Minister had no knowledge of the causes of the collision which took place, whilst the Yamên, on its side, was equally without information from the Provincial Government of Yünnan. On the strength of the British Minister's communications the Prince memorialized the Throne, requesting that commands be sent to the Governor-General and Governor of Yünnan to take action in the matter. This step was actuated by a sense of the gravity of a case in which life had been taken, and by regard for the duties which relations of friendship impose. The British Minister, on the other hand, although unacquainted with the particulars of the occurrence, claimed an indemnity of 150,000 taels, which he alleged his willingness to accept as sufficient to cover all pecuniary demands on the Chinese Government, if the Chinese Government agreed to place that amount in his hands. He further declared that all the propositions he had advanced were within the limits of the Treaty.

The Prince is at a loss to understand on what Treaty provision the British Minister has based his estimate of the indemnity he demanded, and it is impossible for him to avoid a feeling of perturbation, under the circumstances.

The foremost requisites in the conduct of affairs between the two countries are a dispassionate mind and a well-intentioned disposition. It stands to reason, undoubtedly, that in matters of serious importance explanations cannot fail to be sought with all promptitude. At the same time, in divers cases in which subjects of China have suffered death or injury at the hands of British officers or private individuals, and which have been the subject of negotiation between the Prince and the British Minister or his predecessors, the difference between the tone that has been taken in the replies received, or in the action announced, whether in cases that have been terminated or in such as still remain pending, and the action which the Yamên of Foreign Affairs has wished to see taken, is attested by the records existing in relation to these several cases. The Prince, nevertheless, has at no time put the British Minister or his predecessors in an awkward position by bringing urgent pressure to bear upon them. [He would ask whether,] in all the years that have passed, in cases relating to Chinese subjects, officials or private individuals, who have suffered pecuniary wrong or bodily injury, or in cases of such gravity as homicide itself, there have ever been exhibited, in personal discussions, an inadmissible tone and demeanour? and whether, for assent or refusal to propositions that have been advanced, a day and an hour have ever been fixed within which a definite determination has been insisted upon?

Impressed with the conviction that, in the treatment of affairs to which the two countries are pledged, the conduct to be mutually exhibited should be dispassionate and well-intentioned, the Prince and his colleagues, in cases of serious importance, in which the British Minister or his predecessors have not succeeded in arranging an immediate settlement, or in which the action taken has not been looked upon as satisfactory, have, nevertheless, felt that they could afford to be patient, trusting to find opportunities of dispassionate negotiation, with the object of attaining a fair solution of the questions at issue, to the end that the relations between the two countries might be maintained in their integrity.

[As regards relations], no such thing as private intercourse has primarily subsisted between the Prince and the British Minister. Relations were inaugurated when Treaties were concluded for mutual intercourse between the two countries, [entailing] the conduct of affairs on an amicable footing. What is meant by the word "relations" are the relations between the Governments of the two countries, not relations between the two individuals, ourselves.

In the case at present under discussion, no sooner was the British Minister's communication received than action was taken in the manner indicated above, in which, it may be truly said, the Chinese Government went to the extreme limit required by the nature of the case, and fulfilled to the utmost the duties of courtesy, for the sake of maintaining unimpaired the relations of friendship subsisting between the two countries. In the British Minister's correspondence, nevertheless, there occurs, firstly, the passage that "should this demand not be complied with, I shall consider my relations with your Imperial Highness at an end;" and, again, "I shall break off relations and withdraw the Legation from Peking;" and yet, again, "I cannot consent to further discussion regarding these demands, and if the documents be not sent to me by the hour I have named, I shall assume that the Chinese Government is trifling with me, and I shall declare most positively that my relations with the Tsung-li Yamên will be broken off accordingly."

Thus relations which are held in such high respect as the Prince [has here acknowledged], are, by the British Minister [as in the foregoing sentences], so lightly declared to

be broken off. It is perfectly understood that, on the passports having been given, the British Minister had declared that relations would not be broken off; but in the apprehension lest the British Government be not aware that the Prince's mind is bent upon the maintenance of relations, he begs, as the British Minister will doubtless be communicating with his Government during his present visit to Shanghae, that the observations set forth above may be transmitted by him to the British Government, and that the British Foreign Office should address a reply to the Prince direct, to the end that business may be transacted hereafter in a dispassionate spirit, thus more effectually giving weight to friendly relations, as is the Prince's earnest hope.

The present communication is accordingly addressed for the information of the British Minister.

Kwang Sü, 1st year, 3rd moon, 9th day (April 14, 1875).

Inclosure 3 in No. 14.

Mr. Wade to the Prince of Kung.

(Extract.)

Shanghae, April 28, 1875.

I HAVE had the honour to receive two communications from your Imperial Highness, both under date the 14th instant. The first is intended to supplement the answers earlier returned to my despatches written between the 22nd of March and the 2nd instant, on the subject of the Yünnan outrage; the second is a protest against the peremptoriness with which I insisted on certain demands.

I shall allow myself, before I go farther, to observe that the distinction between propositions advanced or pressed by me and demands insisted upon, has been more or less lost sight of, and that what has fallen from me on one or two points has, notwithstanding my explanations, been forgotten or misunderstood.

The discussion is properly divisible into three periods. The first extends from the 12th of March, the day on which I first addressed your Imperial Highness, to the 22nd, when I received the Tsung-li Yamên's memorandum on the six propositions submitted in mine of the 19th, together with your Imperial Highness' despatch, also dated the 22nd, inclosing copy of the Emperor's Decree of the 21st, by which the Governor-General of Yünnan and Kuei-chou was directed to repair at once to his post. The second commences on the 24th of March, when your Imperial Highness did me the honour to receive me at the Yamên, and I laid before your Imperial Highness a second memorandum, from which, as I pointed out, I had excluded all reference to the appointment of a special Commissioner I had asked for on the 19th, or to the declaration I had hoped to obtain from your Imperial Highness regarding a stricter observance of Articles IV and XXVIII of the Treaty of Tien-tsin. The propositions retained in this second memorandum were three: that a specified sum of money should be placed in my hands to be applied as Her Majesty's Government might decide; that passports should be given me for a second mission into Yünnan, should the Government of India see fit to send one; that separate passports should be given me for such officers as I might instruct to proceed to Yünnan, for the purpose of assisting at the trial of any prisoners charged with the directing or taking part in the outrage complained of.

In my interview with your Imperial Highness, though urging very strongly the payment of the sum I had named, I at the same time impressed on your Imperial Highness that the condition on the satisfaction of which I insisted as essential, was still the presence of the officers I should send to assist at the trial; without this, as I observed, millions of indemnity would be of no value whatever. Your Imperial Highness' despatch, discovering, as I conceived, a disposition to evade concession of this demand, the discussion entered upon its third stage upon the 26th of March, when I stated, in so many words, that if it were not complied with by a given day, I should leave Peking, and suspend my relations with your Imperial Highness.

Now, to come to the two despatches under acknowledgment. In the first of these, your Imperial Highness reviews and combats certain observations of mine regarding the detachment of British officers into the interior, should the protection of British interests render their presence desirable. My observations proceeded from a belief, which the tone of the Ministers of the Yamên with whom I had been in conference suggested, that the demand for passports for a fresh mission from India would be resisted, I therefore desired Mr. Fraser to remind the Ministers who received him at the Yamên on the 20th March, that if officers sent by the Viceroy to travel in Yünnan were directed to remain there for a number of years, there was nothing in the Treaty to prevent them.

I acquainted your Imperial Highness a few days ago that a difference still unsettled with the Government of Burma renders it, for the present, undesirable that British officers should traverse Burmese territory. There is consequently no immediate prospect of a mission being sent from India across the frontier. Should the Viceroy of India at any future time decide on sending one, he will communicate all necessary particulars to the Legation at Peking, and the Legation will be sure to transmit to your Imperial Highness whatever information it may receive from his Excellency. As regards the officers who, in this particular instance, are about to be sent to Yünnan, or whom the acts of Chinese officials may, on future occasion, render it necessary to send elsewhere, there is more to be said in due time; but I shall first briefly notice the two subjects next adverted to in your Imperial Highness' despatch—the position, namely, of foreign Ministers at Peking, stipulated for in Article IV, and the taxation of trade inland as regulated by Article XXVIII of the Treaty of Tien-tsin. To both I warned the Yamên some days before his present Majesty was proclaimed, it would be my duty ere long to direct attention. I had no desire, I said, unnecessarily to embarrass your Imperial Highness, or to put forward what I might have to say in a form that would be distasteful, but now at the commencement of a Regency that promised to be of much the same length as the last, I felt bound to observe that, neither in respect of the one question or the other, was it to be expected that foreign Governments would show themselves as long-suffering as they had proved during the minority of the late Emperor.

To take the last of the two questions first. So far as the irregularity and arbitrariness of inland taxation, whether in the form of "likin," or otherwise, are concerned, I shall content myself for the moment with remarking that if, as your Imperial Highness' despatch leaves it to be inferred, the Tsung-li Yamên is determined to maintain that the Article is in general observed; or if, when obliged to admit its violation, as in the case of the detention of imports in Kwei-chow-fu, the Yamên is unable to compel the local authorities to do justice to the foreign merchant aggrieved, the remedy lies easily within the reach of the foreign Powers, and the Chinese Government must be prepared sooner or later for some such measure of retaliation as will suffice, while it indemnifies the sufferer for his loss, to secure him against recurrence of his wrong. I shall not attempt here a more detailed exposition of the nature of the wrong of which I complain. I could state nothing that is not as well known to the Tsung-li Yamên as to myself. It would require no great effort on the part of the Chinese Government to redress it, and the promise of reparation I desired to obtain from your Imperial Highness would have been acceptable not only as removing a serious cause of complaint, but as an earnest of the good faith and friendly dispositions of the Chinese Government.

It was this consideration, as I have earlier explained, that appeared to me to justify connection of such a question with the conduct of a case so completely foreign to it as the Momein atrocity.

For the introduction at such a moment of another question, in appearance equally little in direct relation with this atrocity—I mean the position of the Foreign Minister,—I have pleaded the same justification. I do not hesitate, at the same time, to declare that, however exclusively commercial in character the interests I am called on to watch in this country, I consider an improved appreciation of what is due to Foreign Ministers by the Chinese Government the foremost in importance of all propositions that it is the duty of the Tsung-li Yamên to entertain, and for this plain reason, that until the cause which interferes with a due recognition of its obligations to foreign representatives by the Chinese Government be removed, its relations with the Governments represented will continue to be what they have been up to this time, relations liable to be broken at any moment by the acts or omissions of Provincial Governors, or their subordinates, who, if not in so many words instructed by the Central Government to manifest a feeling of hostility to the foreigner, are but faithful to the principle by which the policy of the Central Government is guided, the principle of withstanding, either secretly or openly, every movement by which China may be possibly committed to a departure from the traditions of non-intercourse. To this policy I ascribe most of the violations of Treaty, small and great, remonstrance against which forms the endless occupation of a Foreign Minister at Peking, but in particular those graver outrages which, in the last few years, have excited the horror and indignation of foreign communities. I am speaking here more particularly of those acts with the commission or non-prevention of which the authorities, rather than the people of China, are chargeable; the murder, for instance, of the Abbé Niel in Kwei-chow by order of the Provincial Commander-in-chief; the forcible detention and ill-treatment of Mr. Cooper when travelling under passport in Wei-si, by the Sub-Prefect of that jurisdiction; the Tien-tsin massacre; and now this attack, by order of the authorities of Momeim, upon a party provided with

passports from the Central Government. I say that, if the relations of China with other Governments had been such as are maintained between all other Governments in Treaty relations with China, if the Central Government had been at any pains to make it manifest to the Empire that it was not ashamed of intercourse with foreign powers, and desired rather to cultivate than repel them, the Ti-tu of Kwei-Chow would not have taken on himself to direct the murder of the Abbé Niel, the Sub-Prefect of Wei-si Ting would not have laid hands on Mr. Cooper; the Prefect and Magistrate of Tientsin, instead of encouraging a belief that children were being kidnapped by the Sisters of Charity, would have taken steps to disabuse the people of a notion so false and ridiculous. Lastly, the Momein authorities would not have moved troops to overwhelm a small party of gentlemen, of whose entrance into Chinese territory the Chinese Government had been duly advised.

Your Imperial Highness objects that in the last case I have as yet no evidence but the Viceroy of India's telegram. I admit it. But, as I have before observed to your Imperial Highness, the Government of India has officers in Burma of high standing; their means of information are excellent; and when an officer of the rank of the Chief Commissioner in Burma telegraphs such or such an account of what has happened to the Viceroy of India, I am satisfied that his statement is substantially true. I am satisfied that, in the present instance, an act of treachery and violence has been done. What reparation Her Majesty's Government may feel compelled to exact remains to be seen, but I repeat that, were the intercourse of China and Her Majesty's Government on the same footing as the intercourse of Her Majesty's Government and any other Government in Treaty relations with it, such crimes as those I have enumerated would not be committed, and that instances of official misconduct—it is impossible that instances should not sometimes occur—would more readily admit of adjustment. The attitude of a foreign Power, when a difference with China arises, would not necessarily be, as at present, the attitude of a Power which feels that without intimidation or resort to force it has but a faint chance of obtaining justice.

For myself, I can honestly affirm that during the fifteen years that, as Chief or Subordinate of Her Majesty's Legation, I have resided in Peking, the pertinacity with which I have again and again denounced the unwillingness of the Chinese Government to give that evidence, which a change in its bearing towards foreign Ministers would give, of an abandonment of its determination to stand aloof from the rest of the world, has not been due to any desire for the personal glorification either of myself or of my predecessors; that it has not been more due even to a desire to see the development of the legitimate interests of my own and other Governments that I feel must follow upon a renunciation of its traditional exclusivism by the Government of China, than to a conviction of the danger to which its persistence in its refusal to draw near to the rest of the world must expose it. It is to this end that in past years I have never ceased to urge upon the Yamên the necessity of according to foreign Ministers a position akin to what they enjoy at other Courts; a position that would significantly declare to the officials and people of this country that the Sovereigns, whom those Ministers represent, are their friends, and that their Representatives are consequently the privileged guests, of the Emperor of China. It is only when these conditions are satisfied as the Treaty requires, that China can be effectively represented abroad, and until she is so represented, she is at the mercy of a hundred dangers from which the pettiest States in the family of nations are comparatively secure.

Your Imperial Highness cannot now fail to understand why, with such a cause to deal with as the Yünnan outrage, I gave to matters so seemingly alien so prominent a place in the commencement of the discussion. Such a declaration as I asked for on the part of your Imperial Highness regarding them, with the payment of the sum specified, only to be applied under the conditions I mentioned, would have gone far to close a question of which, believing as I do in the intelligence telegraphed to me from India, I cannot but regard the solution as difficult in the extreme.

I say would have gone far to close it.

Punishment will, of course, have to be inflicted on the guilty. I have said that Her Majesty's Government would be certain not to demand punishment in excess of what the law of China prescribes for their offence; and your Imperial Highness, in the second of your despatches under acknowledgment, asks how, having made this statement, I can consistently claim an indemnity. This question has already been answered in my despatch of the 27th of March, in which I showed that the indemnity was asked for as something entirely distinct from the punishment of the persons guilty, directly or indirectly, of participation in the attack on the Indian Mission or the murder of Mr. Margary.

I expressly stated that it was a thing apart in my first conference with the Grand Secretary Shên on the 19th March. I explained again and again why I had brought forward the question of indemnity at all, and under what conditions it was to be placed in my hands. The demand which I could not compromise was for passports, and when, after conferences and correspondence lasting from the 12th to the 26th March, your Imperial Highness still appeared to me to avoid the promise I required, that the officers sent by me should assist at the trial of the accused, it will be found that the indemnity is no more pressed for in my correspondence.

Your Imperial Highness takes credit for the promptness with which the Yamên acted in this affair. It will not, I am certain, appear to Her Majesty's Government that the action taken was remarkably prompt when an outrage so terrible and so insulting to a foreign Government having been brought to your Imperial Highness' notice, nine days were allowed to elapse before the Tsung-li Yamên applied for the Decree which was needed to direct the attention of the chief provincial authority to investigation of the particulars of the crime. Your Imperial Highness takes credit, farther, as for an extraordinary concession, for the permission granted to any officer to be present at the trial of the perpetrators of the crime. Now, I hardly know an instance of a complaint involving judicial proceedings against a British subject by a Chinese being reported to the Tsung-li Yamên, in which the Yamên has not put forward a claim for the Chinese authority not only to be present at the proceedings, but to take part in them as judge. I have again and again had to dispute this pretension, notably in my communication of the 31st August last, relating to the Fawcett case. On the other hand, I have never denied the right of the Chinese authorities to be present in the Court so that they may watch the proceedings; on the reverse, I have strongly advocated their presence. If the right be not admitted or implied in Article XVII of the Treaty, the justice of the claim is too patent to allow of its being disputed. And this is all I have claimed for the officers now about to proceed to Yunnan. Your Imperial Highness informs me that their assistance at the trial they go to witness is not to be regarded as a precedent. I am compelled to rejoin that, while I continue Minister, no British subject provided with a passport will sustain an injury at such a distance from a port as to render it impossible for the case to be dealt with otherwise than on the spot, without my asserting, if I conceive it necessary, the same right that I now assert, the right to be surely informed by my own agents of the nature of the evidence on which the Chinese accused may be condemned or acquitted. The Chinese Government will never be refused the exercise of this right in our Courts, proceedings in them are open to all comers, and the history of the cases above-cited, eminently the history of the Tien-tsin massacre, makes it in my opinion imperative that we should exact it of the Chinese Government.

There is but one more argument to which I feel called upon to refer. Your Imperial Highness contrasts the patience exhibited by the Chinese Government when wrong has been done by British officers or people, which the Legation has not been able promptly to redress, with my demand for the production of the passports required within a given time, under penalty of a rupture of relations. No complaint of wrong done by British subjects has ever, to my knowledge, been rejected by the authority competent to inquire into it. I do not say that the result of the inquiry has been invariably such as to insure the satisfaction of the complaint; it has been frequently the reverse. But your Imperial Highness would find, upon examination, that the decisions of our Courts, from which no one, be his nationality what it may, is ever excluded, are fully as often unsatisfactory to complainants of our own nationality. The suitor being a Chinese fares neither better nor worse than he would if he were a British subject. We shall be well content if the Chinese Courts are as careful to do justice by us as our own are by Chinese.

As to acts done by British officers, there are on record, no doubt, some complaints which it has been impossible to satisfy; but these are of no great number, and with very rare exceptions a powerful defence may be made for them. The acts referred to were done almost all at a time, when the country being overrun by rebels, and the seas infested by pirates, the duty of protecting the port communities against both evils was cast almost as a rule upon the navies of foreign Powers. It is not to be denied that very serious mistakes were more than once committed, during the period I speak of, by British officers, but it must be remembered, on the other hand, how largely, both at the ports and elsewhere, the Government and people of China benefited by their exertions.

Were it otherwise, I deny that any parallel can be justly drawn between any act brought home to a British officer, civil or military, and the outrage which has occasioned this correspondence. With the record of the past before me, I had no option but to insist on the production of the passports I demanded; passports for a new mission, that the Government and people of China might see that we are not to be deterred

by treachery or violence from an enterprise undertaken in the exercise of our legitimate rights; passports for officers to assist at the trial of the parties accused, in order that there might not be hereafter any question as to the identity of those parties, or as to the measure of justice dealt them.

Your Imperial Highness is perfectly correct in affirming that "relations," in the sense of private relations, have never existed between your Imperial Highness and myself. I have never presumed to think that I had private relations with your Imperial Highness. When I threatened to leave Peking, I acted as the Representative of a foreign Power is entitled to act if the Government to which he is accredited refuses to comply with his just demands. My departure from Peking would have involved a suspension of relations between my Government and the Government of China, which, unless my Government declined to approve my action, would not have been renewed until the Government of China had complied with my demands or with some other demand which it might seem good to my Government to substitute for the first.

I have little fear that my threat of the 26th March, when my correspondence with your Imperial Highness has been read, will be disapproved by Her Majesty's Government. The whole of that correspondence, with copies of every note, memorandum, and minute of Conferences to which the matter before us has given occasion, was forwarded to the Earl of Derby by the mail of the 16th instant. Translations of your Imperial Highness' two despatches of the 14th instant, with a copy of this reply, will be sent to his Lordship upon the 2nd May.

As regards the reply which, in the latter of your Imperial Highness's despatches last named, it is requested may be addressed directly to yourself, I shall take the liberty of observing, that were the Emperor of China represented at the Court of any Sovereign, it is through the Representative of His Imperial Majesty that the protest or remonstrances against my proceeding to which your Imperial Highness's despatch gives expression, would be transmitted to the Earl of Derby. His Lordship's reply would in that case be returned to your Imperial Highness through the same channel. The Emperor of China has not as yet exercised the right fully secured to His Majesty by Article VI of the Treaty of Tien-tsin, and whether in the absence of any Agent representing His Majesty, the Earl of Derby will elect to make answer in the manner proposed by your Imperial Highness, or, as heretofore, communicate the opinions of Her Majesty's Government through myself, it must be for his Lordship to decide. A few weeks will determine the question.

No. 15.

The Earl of Derby to Mr. Wade.

Sir,

Foreign Office, June 23, 1875.

I HAVE received and laid before the Queen your despatches of the 1st of May, forwarding copies of two notes from Prince Kung dated the 14th of April and of your reply of the 28th of the same month, relative to the representations made by you to the Chinese Government on the subject of the attack on the Yunnan Mission and the murder of Mr. Margary.

I have thought it desirable at once to authorize you by telegraph to inform the Prince of Kung that you had received instructions from Her Majesty's Government to state to His Highness that the whole of the correspondence on the subject, including the notes above referred to, has been carefully considered by Her Majesty's Government and that they entirely approve your conduct and fully concur in the terms of your note of the 28th of April.

Her Majesty's Government will not be satisfied with anything less than a thorough investigation of the circumstances under which Mr. Margary met his death, and the punishment of the guilty parties, and you will tell the Prince that, as past experience has shown that no such investigation can be relied upon unless British officers are present at it, Her Majesty's Government must insist on your demands in this respect being complied with.

If the Chinese Government show their readiness to give every facility for carrying on the inquiry in a satisfactory manner, Her Majesty's Government will defer raising the question of indemnity until the result of the inquiry is known, but you will make it clear

that they reserve their right of bringing it forward at any moment if they have reason to be dissatisfied with the mode in which the investigation is conducted.

I am, &c.
(Signed) DERBY.

No. 16.

Mr. Wade to the Earl of Derby.—(Received July 5.)

(Extract.)

“Vigilant,” Hankow, May 10, 1875.

MY telegram of 3rd instant will have informed your Lordship that as Colonel Horace Browne could not be at Shanghae for some time to come, I had proposed to visit the river ports with Admiral Ryder. He has been so good as to receive me on board his tender, the “Vigilant.” Her Majesty’s ship “Modeste” a saluting vessel, has been ordered to accompany the “Vigilant.”

Mr. Grosvenor is on board with me, Mr. Crawford is on board the “Modeste.”

We left Shanghae on the forenoon of the 4th instant, reached Chinking on the afternoon of the 5th instant, and Kewkiang on the afternoon of the 8th.

No. 17.

Mr. Wade to the Earl of Derby.—(Received July 19.)

My Lord,

Shanghae, May 28, 1875.

I HAVE the honour to forward copies of two despatches to the Prince of Kung, which should have accompanied the papers inclosed in my despatch of the 14th of April.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 17.

Mr. Wade to the Prince of Kung.

Sir,

Peking, April 1, 1875.

I HAVE the honour to acknowledge your Imperial Highness’ communication of this morning.

I write to say that the two officers I propose to send to Yünnan will be ready to leave Shanghae possibly on the 25th instant—certainly not later than the 1st of May. I am going to Shanghae earlier than I had proposed, for the express purpose of hurrying forward all necessary preparations.

I avail, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 17.

Mr. Wade to the Prince of Kung.

Sir,

Peking, April 2, 1875.

MR. MAYERS informed me on his return from the Yamên last evening, that the Ministers who had received him had said something in deprecation of a possible desire on the part of the officers I am sending to Yünnan to proceed to places which the Chinese officer accompanying them might see reason to recommend that they should avoid.

The British officers I send will be instructed to act with the greatest discretion; but I must remind your Imperial Highness that the real object of their mission is the establishment of facts, in order to the satisfaction of justice in a case of remarkable atrocity.

The information communicated to me by the Government of India is to the effect that a party commissioned by that Government to travel in Yünnan under a passport

obtained by me from the Tsung-li Yamên has been attacked in Chinese territory by troops which a Chinese authority had sent to destroy it, and that one of the party had been barbarously murdered.

As your Imperial Highness may suppose, the news has shocked and distressed Her Majesty's Government in no ordinary degree. No pains must be spared in the attempt to arrive at the truth, and it is my duty earnestly to request your Imperial Highness to cause such instructions to be issued to the Government of Yünnan as will to the utmost facilitate the access of the officers I send to whatever places they may find it expedient, in the discharge of their duty, to visit. So, also, as regards the persons whom they may require to interrogate.

I cannot too strongly impress upon your Imperial Highness that the smallest appearance of a disposition to bar the way to free inquiry will be very unfavourably interpreted by Her Majesty's Government.

I avail, &c.
(Signed) THOMAS FRANCIS WADE.

No. 18.

Mr. Wade to the Earl of Derby.—(Received July 19.)

My Lord,

Shanghae, May 29, 1875.

JUST as I was starting for Hankow there arrived a letter from a French missionary stationed at Yünnan Fu, the capital of the Province of Yünnan, reporting the arrival at that city of a Chinese who had passed through it with Mr. Margary. The man, Wang Siu-shuang by name, subsequently reached Hankow, and as soon as he had been interrogated, was sent on to Shanghae by Mr. Alabaster, who put him in charge of Mr. Hurst, a Student Interpreter, who is going home on sick leave.

I inclose copies of the letter of Abbé Fenouil, the missionary referred to, and of the Memorandum of Wang Siu-shuang's statement, drawn up by Mr. Brenan, Acting Interpreter at Hankow. To this, Mr. Mayers, who re-examined the man as soon as he arrived yesterday, has added some notes.

On reperusal of the Memorandum, I have thought it advisable to put some further questions to the man myself. I was present from time to time when Mr. Mayers was speaking to him yesterday, and I am bound to say he seemed determined to say as little as possible about the more serious part of the affair, while, whenever unimportant matters were adverted to, he was sufficiently voluble.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 18.

Père Fenouil to Her Majesty's Consul at Hankow.

M. le Consul,

Yünnan-sèn, le 4 Avril, 1875.

QUAND cette lettre arrivera à Cháng-hai, la mort tragique de Mr. Margary vous sera connu déjà depuis longtemps. Je ne vous donnerai donc pas ici de détails sur ce triste événement, d'ailleurs je ne les connais pas bien moi-même.

Mr. Margary avait cinq Chinois à sa suite; quatre ont été massacrés avec lui; un seul a pu s'échapper; ce dernier est arrivé ici hier au soir et se dispose à retourner dans son pays; c'est Wang Hsiu-shang, de Hang-yang Hsien.

A son passage ici, dans les premiers jours de Décembre, Mr. Margary et ses hommes déposèrent chez moi une partie de leurs bagages qu'ils devaient reprendre au retour; ce sont des livres Chinois, des habits, de la vaisselle, des conserves, et des boissons, avec une grande plaque en cuivre qu'on dit être un couvercle de baignoire.

Ma première pensée a été de confier ces divers objets à Wang Hsiu-shang, pour qu'il vous les remit; mais leur valeur intrinsèque serait loin de couvrir les frais de transport. Wang Hsiu-shang a repris ce qu'il a dit lui appartenir personnellement; le reste demeure à la disposition du Gouvernement Anglais. Je vous prie, M. le Consul, de vouloir bien me faire connaître ce que vous voulez qu'on en fasse.

Je n'ai pas l'avantage de parler Anglais, de l'écrire moins encore. Veuillez donc, s'il

vous plaît, me répondre en Français, et faire déposer votre lettre à la procure des Missions étrangères (Sân-te-tâng) à Cháng-hai.

J'ai l'honneur, &c.
(Signé) T. FENOUIL, *Prov. Apost.*

(Translation.)

M. le Consul,

Yünnan-sèn, April 4, 1875.

LONG before this letter reaches Shanghai, you will have heard of the tragical death of Mr. Margary. I shall not, therefore, give you the details of this sad event; indeed, I am not myself well acquainted with them.

Mr. Margary had five Chinese in his suite; four were murdered with him, and only one succeeded in making his escape. This latter arrived here yesterday evening, and is about to return to his own country; his name is Wang Hsiu-shang, of Hang-yang Hsien.

When they passed through here in the first days of December, Mr. Margary and his men left at my house a portion of their baggage which they were to pick up on their return; this consists of Chinese books, clothes, utensils, preserves, and liquors, as well as a large copper plate, which is said to be the lid of a bath.

My first idea was to entrust these articles to Wang Hsiu-Shang, for him to deliver to you; but their intrinsic value would be far from covering the expense of their transport. Wang Hsiu-shang has taken what he said was his private property; the rest remains at the disposal of the English Government. I beg you, M. le Consul, to be good enough to let me know what you wish to have done with them.

I have not the advantage of speaking English, still less of writing it; would you therefore please answer in French, and send your letter to the care of the Foreign Missions (Sân-te-tâng) at Shanghai.

I have, &c.
(Signed) T. FENOUIL, *Prov. Apost.*

Inclosure 2 in No. 18.

Deposition of Wang Hsiu-shuang.

MY name is Wang Hsiu-shuang, I am a native of Hang-yang Hsien, father and mother both dead.

I accompanied my uncle Lin, who went with Mr. Margary, as purveyor. We left Hankow for Yünnan in August last, and all went well on the journey. From Yünnan Fu we reached Ta-li Fu, and then took the road to Hsiu-chieh (*i.e.* Bhamó), a place in Burmah. At Hsiu-chieh we met Colonel Browne, and remained at the Consulate some twenty days, where were also living a doctor, officers, Mr. Allen, and Mr. Elias. I accompanied Mr. Elias on his way back to China. Colonel Browne's party left three days before us, and then we too started from Hsiu-chieh. At this place five roads branch off. Colonel Browne took the road by which we had previously arrived; we travelled by the by-roads; the high road took a circuitous course; the by-roads brought us near to Yung ch'ang, where we had agreed to rendezvous. We could not proceed far for want of animals, and the savages prevented our passing. The Consul at Hsiu-chieh (the Assistant Resident, Captain Cooke) accompanied us for three days as far as a place called Meng-mo; he then turned back to Kutung to wait for news. Kutung is one stage from Meng-mo. Meng-mo is under a local chief; the people there are called Han-ssu-Panyi.

Once in the town, they closed the gates, so that the Consul at Hsiu-chieh (Captain Cooke) had to jump over the wall* to get back to Kutung, where he waited for news from us in the afternoon.

Colonel Browne's party took another route. A foreign rifle was given to Li ssu Lao-mien by Mr. Elias on behalf of Colonel Browne. At first he refused it, but afterwards he told me to give it to him. I told Mr. Elias of this, and the gun was given to him.

We had not been able to hire animals owing to his having given orders to the savages. We requested him to procure horses to take us and our baggage back to Kutung. Li ssu-Lao Mién† has the rank of General; he is Chief of Nantien. He hired horses for us to get

* Later statement:—"Li Ssü was manufacturing gunpowder in the town, and had had the gates closed to keep out the savages (Kakhyens). Only the east gate was left in a condition to be opened, and Captain Cooke got out that way."

† Lao Mien = Burmese. Li Ssü is said to be half Burmese, on the mother's side.

back to Kutung, forbidding us to continue the journey in this direction, because the road was dangerous and infested with robbers.

The evening of the second day after we had arrived at Kutung, Mr. Elias received a note from Colonel Browne, but he did not tell me what the contents were. Colonel Browne sent the letter from Hsiu-chieh, where he had returned. The bearer of the letter was a savage official. This man advised me to go, if I wished to save my life. They spoke Chinese: they said that the party had been murdered. I went off to look for my uncle's body. At Meng-mo I requested Li-ssu to give me a safe conduct,* with which I went to Hsieh-fan. This is a savage town. From Hsieh-fan I went to Meng-ka, and on to Mang-shih, which is also a savage city. From Mangshih I went to Mingling, where there is a Taotai. It is a district city. Here they are all Chinese officials. Ming-ling is not far from the road we originally travelled by.

I had 4 taels odd with me, given to me by Mr. Elias. By night I made my way to Têng-yueh-chow, where enquiries were being made in the inns for Mr. Margary's servants who had escaped. When caught they were to be put to death. This was told me by a man from Hwang-pi-hsien,† a dealer in medicines.

As I was well known on the road previously followed by us, I stayed with a maker of bean-curd about 15 li outside the city. At night I went to Nantien to look for my uncle, thinking it was only a report that he was dead. Nantien is three days from the scene of the murder: the name of the place being Manying.

At Nan-tien I met a man from Têng-yueh-chow, who had previously accompanied Mr. Margary, and from whom had been hired twenty-five horses. Twenty-five taels were still due to him. He advised me to go back. I asked him if he had got his money; he said, "How could I, seeing they have all been killed?" He added, "Wasn't your uncle the man with the beard? He, Mr. Margary, and Chow, the cook, jumped over the wall at Man-ying, which were not very high, to get a cold bath. The Pan-yi people opened the gates and pursued them, and murdered them under a tree bearing a yellow fruit, not more than a hundred yards from the walls. Their ears were cut off and the bodies thrown in the water. The clerk, Yü, and the servant, Lav-chiang, were inside the town, where, from the Tóu-tsung hill, the servant fired off Mr. Margary's five-barrelled revolver. He fired five shots without hitting anybody, and then they were both murdered before they could escape." The horse-dealer saw this. The clerk and servant escaped into a temple, where they were killed. The horse-dealer told me all this: I didn't see it myself.

I returned to Têng-yueh-chow, being prevented from going to that yellow fruit tree by the presence of soldiers led by a Chinese official, whose name I don't know, despatched by the Governor of the Province to protect Man-ying. The inhabitants had all run away; no one was going into Man-ying, but all were escaping to Têng-yueh-chow. The local chief wrote to the Prefect of Têng-yueh, by name Wu, who reported the affair to Yung-Chang Fu, and then it was known all over Yünnan Fu and Tali Fu. Troops were sent off immediately; people said that the English had risen and were guarding the pass to Man-ying.

On hearing this I came on to Hankow, working as sailor on board a Ssu-chuen boat bound for I-chang, and from I-chang came on to Hankow.‡

I was travelling at night when I met the horsedealer. It was about thirty li from the scene of the murder. I met him on the road. The people said that the English had risen, and that soldiers had been sent to protect the pass; the Man-ying people and others of the road said that two persons had escaped, and that they must be found and killed.

From Man-ying I went straight to Yung-ch'ang; at every inn there were officials keeping up a search, as also at every customs and tax station.

Persons without employment could not go by. With my safe-conduct from Li-ssu, I was allowed to pass unmolested.

At Yünnan Fu I gave the safe-conduct to one Yang, who handed it to the Governor.§ Yang and Chow had been previously sent by the Governor to escort Mr. Margary, and they had accompanied him as far as Têng-yueh-chow.

* Later statement:—"I did not request a safe-conduct, but made use of the card which Li gave me in return for the gun which I took to him by order of Mr. Elias. The card had on it his name, Li Chên-kwoh. It served me as a pass on the only occasion when I was stopped by Kakhyens, 20 li beyond Meng-mo. They took my money (10 taels) away from me, but on being told by some persons who understood Chinese that the card I exhibited was Li's, they did not molest me further. The card eventually became crumpled up and destroyed."

† Hwang-pi-hsien, some 30 miles north-west of Hankow.

‡ Later statement:—"I was less than a month in getting from Yünnan Fu to Hankow. I embarked above Ch'ung k'ing in Ssu-chuen."

§ Later statement:—"If the above was written down at Hankow it must have been misunderstood, as I had no safe-conduct at all, and gave nothing to Yang."

When I saw Yang at Yünnan Fu, he had got back more than a month. He already knew that there was something wrong through the reports he had heard.*

Têng-yueh is four stages from Man-ying; Man-ying to Kutung is seven stages.

I went myself to see Yang; he did not give me any money. He said to me, "You have got back then, and Mr. Margary has really been killed? The people there are very treacherous: there are no officials to control them; why did Mr. Margary go amongst them?"

The Pan-yi said that the exploring party had risen up in arms, and that they were Mahomedans.

I accompanied the funeral cortége of a deceased Yünnan magistrate from Yung-chang Fu to Yünnan Fu.

The horsedealer and the people in the inns said that in the baggage carried by Mr. Margary's party were concealed fire-arms; they also said the two large horses were stuffed with fire-arms.

No. 19.

The Earl of Derby to Mr. Wade.

Sir,

Foreign Office, July 21, 1875.

I HAVE to convey to you the approval of Her Majesty's Government of the notes addressed by you to the Prince of Kung, copies of which are inclosed in your despatch of the 28th of May, on the subject of the Mission which it is proposed to send to Yünnan for the purpose of investigating the circumstances of Mr. Margary's murder.

I am, &c.

(Signed) DERBY.

No. 20.

Lord Tenterden to Sir L. Mallet.

Sir,

Foreign Office, July 22, 1875.

I AM directed by the Earl of Derby to transmit to you, to be laid before the Marquis of Salisbury, a copy of a despatch from Her Majesty's Minister in China, upon the subject of the recent outrage on the Mission to Yünnan.†

I am, &c.

(Signed) TENTERDEN.

No. 21.

Mr. Wade to the Earl of Derby.—(Received August 12.)

My Lord,

Foochow, June 10, 1875.

TO my very great satisfaction, Colonel Horace Browne arrived here yesterday evening. Admiral Ryder has had the goodness to offer him a passage in the "Vigilant," and he will proceed with us to Shanghai on the 12th instant.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

No. 22.

The Secretary to the Admiralty to Lord Tenterden.—(Received August 14.)

My Lord,

Admiralty, August 14, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, extracts from a general letter of

* Later statement:—"I saw Yang at his own residence. After I had been with him a short time he told me he had visitors to attend to, and he went into the house, after which I saw him no more. I called on a French missionary who had some property of Mr. Margary's in keeping. He advised me to leave the city as quickly as possible, as my life was not safe. I stayed only two days at Yünnan Fu; I reached the city about the 10th of April."

† No. 17.

the 11th June, from Vice-Admiral Ryder, Naval Commander-in-chief on the China Station, in regard to the conveyance of Colonel Browne on board Her Majesty's ship "Vigilant" from Shanghai to Foochow, where he wished to confer with Mr. Wade on the subject of the outrage on Mr. Margary; and the intention of both those gentlemen to return to Shanghai in that vessel.

I am, &c.
(Signed) VERNON LUSHINGTON.

Inclosure in No. 22.

Vice-Admiral Ryder to the Secretary to the Admiralty.

(Extract.)

June 11, 1875.

I INFORMED you in my general letter of the 29th ultimo that Mr. Wade had requested me not to leave Shanghai finally until the arrival of Colonel Browne, who was on his way to meet him with reference to the outrage on Mr. Margary at Yunnan in February last, and had also expressed a wish to visit Foochow.

I accordingly embarked him and two secretaries in the "Vigilant," and left Shanghai on the 31st ultimo.

Colonel Browne arrived here (Foochow) on the 9th instant, and met Mr. Wade, and I am going to return to Shanghai to-morrow, conveying Colonel Browne as well as Mr. Wade and his suite.

No. 23.

Mr. Wade to the Earl of Derby.—(Received August 17.)

My Lord,

Shanghai, June 23, 1875.

I HAVE the honour to forward copy of a brief despatch I have addressed to the Prince of Kung requesting to be informed of any report that the central Government may have received from Yunnan.

The more particular occasion of my writing at this moment is explained in the following despatch of this date, in which I inclose translation of a note from the Yamén to Mr. Fraser.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 23.

Mr. Wade to the Prince of Kung.

Sir,

Shanghai, June 21, 1875.

I HAVE the honour to refer Your Imperial Highness to your reply to my communication of the 12th March, to the effect that on receipt of the intelligence therein brought to Your Imperial Highness' notice, the Government of Yunnan had been directed to make inquiry.

For the information of Her Majesty's Government I shall be obliged to Your Imperial Highness to let me know what answer has been received to the instructions forwarded to the Government of Yunnan. News of the attack upon Colonel Browne's mission appears to have reached Tien-tsin overland from Yunnan before the end of April.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 24.

Mr. Wade to the Earl of Derby.—(Received August 17.)

My Lord,

Shanghai, June 23, 1875.

I HAVE the honour to inclose translation of a note addressed by the Ministers of the Tsung-li Yamén to Mr. Fraser on the 2nd instant, in reply to his inquiries as to the truth

of a report that two high officers had been directed to investigate the Yünnan outrage on the spot.

Mr. Fraser had sent Mr. Hillier to the Yamèn a day or two before, and he had brought back the inclosed report.

In my despatch of this date your Lordship will find the brief despatch I had forwarded to the Prince of Kung, requesting information on this subject.

If, as I continue to believe, a force was moved against Colonel Browne's Mission from Momein, the Brigadier General Yang-yü-kó was more than probably the official of the division to which the troops moved belonged.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 24.

The Ministers of the Yamèn to Mr. Fraser.

(Translation.)

June 2, 1875.

THE Ministers received a despatch on the 27th of May from the Governor of Yünnan, in which he states that, having received a despatch from the Tsung-li Yamèn with reference to the murder of Mr. Margary, he has memorialised the Throne, reporting the despatch of the Brigadier General, Yang-yü-kó and the Taotai Chên-si-Chên to the spot to ascertain by a searching inquiry what was the scene of the mishap. If it was within the territory of Yünnan, proceedings shall thereupon be taken in conformity with the laws. He will not fail to do his best to elicit the actual facts.

The case in question not having been elucidated as yet by a thorough investigation, the Ministers have not as yet felt themselves in a position to address an official communication to Her Majesty's Minister, but as Mr. Hillier has now called upon them to ask for particulars, they beg to forward the present note for Mr. Fraser's information.

Compliments, &c.

Inclosure 2 in No. 24.

Memorandum of Mr. Hillier's Visit to the Yamèn.

I WENT to the Yamèn on the 29th of May, under instructions from Mr. Fraser to inquire whether a report that had reached him to the effect that the Yamèn had despatched two special Commissioners to inquire into the Yünnan outrage was true or not. I met the Ministers Shên and Chung-kow, who, in answer to my inquiries that acting Brigadier General Yang-yü-kó and Chên-si-Chên Taotai, both officials of the Yünnan Province, had been directed some time since to make the necessary inquiries, but that no other officers had since been appointed.

They had received, they said, no further news from Yünnan, and were anxious to know if Mr. Wade had heard any particulars. They had been informed that he had returned to Shanghai, where they said Colonel Browne had also arrived. Although they made no direct assertion to that effect, they seemed to imply that they had been expecting some communication from Mr. Wade, and complained that all the news they got was from the Shanghai Chinese newspapers, which were very unreliable.

In answer to a further question as to the official status of Li-ssu-ta-yeh, which I was directed to put to them, they replied that, after careful inquiry, they had been unable to find any such name among the lists of local officials and T'u-ssu, and they were, therefore, almost positive that, if any such person did exist, he must be an officer of very low rank.

(Signed) WALTER C. HILLIER.

P.S.—Brigadier General Lin Chih, who lately arrived from Yünnan, left his post before the outrage occurred, and has stated to my informant that it was only after his arrival in Peking that he heard indirectly of the affair.

W. C. H.

No. 25.

The Earl of Derby to Mr. Wade.

(Telegraphic.)

Foreign Office, August 21, 1875, 5:30 P.M.

REPORT by telegraph what the precise arrangements are which it is proposed to make in regard to sending special mission to Yünnan, and when it is intended to set out.

No. 26.

The Earl of Derby to Mr. Wade.

Sir,

Foreign Office, August 21, 1875.

I HAVE received your despatch of the 23rd of June, and I have to convey to you my approval of the note, copy of which you inclose, which you addressed to the Prince of Kung, requesting to be informed of any report that the Central Government may have received from Yünnan.

I have, &c.
(Signed) DERBY

No. 27.

Mr. Wade to the Earl of Derby.—(Received September 13.)

(Extract.)

Shanghai, July 24, 1875.

I INCLOSE copies of Mr. Grosvenor's report of his interview with his Excellency Li Han Ch'ang and of a note which I addressed, on receipt of this report, to the Prince of Kung, complaining of the dilatoriness and incompleteness of the Chinese Government's proceedings, and requesting to be informed whether the passports issued to me when I was leaving Peking were in order or not.

I also inclose copy of a memorandum which, with little, if any, modifications, will, at the right moment, be presented to the Prince of Kung as recording our case against the Chinese Government.

I shall join Mr. Mayers at Tien-tsin some eight or ten days from this date.

Inclosure 1 in No. 27.

Mr. Grosvenor to Mr. Wade.

(Extract.)

Hankow, July 9, 1875.

IN pursuance of your instructions dated the 3rd instant, I reached this port on the 7th instant, and sent in your note to the Governor-General Li on the 8th, intimating at the same time that I should wait upon his Excellency at 11 A.M. on this day.

In the afternoon of yesterday I was informed by Mr. Alabaster that his Excellency would see me at the time appointed.

The country is covered with flood, and the difficulty of crossing the river great; so Mr. Alabaster requested Captain Bolitho, of Her Majesty's ship "Swinger," to give myself and Mr. Baber a passage across to Wu-ch'ang.

I left the Settlement a little after 10 in Her Majesty's ship "Swinger" this morning, and reached the Governor-General's Yamên about 12 o'clock.

I was politely received by the Governor-General, and, in accordance with your instructions, commenced the conversation by alluding to the reason of my visit, to which his Excellency replied that he was deputed by the Emperor to proceed to Yünnan to investigate the circumstances attendant on the murder of Mr. Margary, and to punish the offenders. His Excellency said, "This matter must be settled." His manner and words indicated a strong desire to see a satisfactory settlement.

I then explained to his Excellency the nature of the instructions you had received from Her Majesty's Government, adding that though there was a considerable feeling of distrust amongst foreigners on account of the many wrong doings of the Chinese Government during the last ten years, it was in his Excellency's power, by a thorough investiga-

tion of this case, and by bringing the criminals to trial and punishment, in some measure to restore a confidence in the Chinese Government which is at present waning.

His Excellency was not particularly anxious about my movements, so I thought it unnecessary to enter into any explanations regarding them. I merely observed that I should probably start in a month or six weeks.

The Governor-General did not appear anxious to find out what we know about the Margary murder. He did not even know the reason why Mr. Margary had been sent to Yünnan.

His Excellency's communications amounted in sum to this; that he had received the Emperor's orders to go to Yünnan to find out the details of the Margary murder, and that he was prepared to do the best he could to discharge the office thus imposed upon him.

I proceeded from this point to inform his Excellency that the attack on Colonel Browne's expedition was, internationally speaking, the most important dereliction from duty on the part of the Chinese officials, and was met by the rejoinder that his Excellency was totally unacquainted with any affair of the kind; moreover, that it was a matter that did not concern him, as his instructions from the Tsung-li Yamên were to investigate the Yünnan affair, and that he had no cognizance of any other.

With regard to the question of an escort to ensure safety until the Burmese frontier was reached, his Excellency stated that he was not a Yünnan official; that he could promise nothing; that the Governor-General of Yünnan must be consulted on the spot before any determination could be arrived at.

I mentioned that the Tsung-li Yamên had granted passports for a fresh Indian mission, and I produced them. His Excellency, to whom such documents appeared to be a novelty, examined them with care, and seemed to me to consider that they were of no particular importance, because issued by yourself, and only bearing an indistinct seal, his idea evidently being that such a document should emanate from the Tsung-li Yamên and not be the production of a foreign Minister, and this notwithstanding my reiterated asseveration that the document was, internationally speaking, in due form and entitled its bearer to the protection of all officials to whom he showed it.

I questioned his Excellency several times as to what information he had received or knew others to have received regarding the Margary murder (it was useless, of course, to do so as regards the attack on Colonel Browne's party), but he showed the most complete ignorance of the whole transaction.

Mr. Baber very properly expressed to his Excellency his astonishment that, in a case of such importance, he should be without information, and compared unfavourably the state of things in China with that in other countries, from which position the Governor-General tried to escape on the ground of the vast extent of China, but was unable to explain how couriers, who are supposed to cover nearly 200 miles a day, had failed to bring news from Yünnan in three months' time.

His Excellency expressed more than once his desire to see the Margary affair satisfactorily settled, but disclaimed any knowledge of the attack on Colonel Browne, and, in addition, stated that his instructions from the Tsung-li Yamên made no mention of this latter part.

Inclosure 2 in No. 27.

Mr. Wade to the Prince of Kung.

Sir,

Shanghai, July 16, 1875.

ON receipt of the Imperial Decree of the 19th June, communicated to me by your Imperial Highness, by which the Governor-General Li Han-Chang was directed to repair post-haste to Yünnan, I despatched Mr. Grosvenor and his interpreter Mr. Baber to Hankow to present my compliments to his Excellency, and to assure him of the pleasure with which I had heard of his nomination. Mr. Grosvenor was at the same time to inform himself more precisely of the nature of the Governor-General's Mission, and, for the regulation of his own movements, of the possible date of his Excellency's departure for Yünnan.

Mr. Grosvenor returned to Shanghai on the 14th instant. The Governor-General Li had received him very courteously, but, in reply to his questions regarding the precise object of his Mission, his Excellency gave him to understand that his instructions pointed exclusively to the murder of Mr. Margary.

Of the attack on Colonel Browne's Mission he seemed scarcely to have heard, and,

although from one remark regarding the number of people accompanying Colonel Browne, it was apparent that he was not wholly uninformed of the check the expedition had sustained, he declared that inquiry into this was beyond the scope of his instructions from the Tsung-li Yamên. As to the safe passage of Mr. Grosvenor himself or of a new mission on the part of the Government of India across the frontier of Yünnan and Burma, the Governor-General declined to give an opinion, pleading that he was not a Yünnan official. He examined the two passports forwarded me by your Imperial Highness on the 30th of March last, but expressed some doubts as to their validity, on the ground that they were issued in my name, and that the impression of the Yamên's seal upon them was not sufficiently distinct.

I had the honour to inform your Imperial Highness a few days since that, on receiving the news of his Excellency Li's appointment, I had telegraphed to Her Majesty's Government that, in my opinion, it was a step in the right direction. On receiving Mr. Grosvenor's report, I have telegraphed again to state that I regard the situation changed. I have directed Colonel Browne to return at once to India to make his report to the Viceroy, and I have now to request that your Imperial Highness will explain to me why the Governor-General Li has been left without instructions to inquire into the attack on Colonel Browne by a Chinese force.

The attack took place upon the 22nd of February. Before the end of April letters mentioning the attack, without alluding to the murder of Mr. Margary, had been received by Chinese officials in Tien-tsin. Letters on commercial business passing between Shanghai and Yünnan are answered within ninety days. Her Majesty's Government will find difficulty in believing that by the end of June no Memorial should yet have been received at Peking from the Government of Yünnan touching the movement of a body of troops against a party of foreigners entering Chinese territory under passport in February.

Touching the allegation originally to be found in your Imperial Highness' despatch of the 14th of April, and now brought forward again by the Governor-General Li, that the persons accompanying Colonel Browne were more numerous than the terms of the passports warranted, I shall have more to say in due season. Meanwhile, I shall assume that the passports, which I received sealed from your Imperial Highness upon the 30th of March, are in order. Should they not be, I shall be obliged to your Imperial Highness to let me know in what particular they are held to be irregular.

I avail, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 27.

Memorandum by Mr. Wade on the Yünnan Outrage.

THE following Memorandum briefly exposes the case as between England and China in the matter of the Yünnan outrage.

The commercial relations formerly existing between British Burma and Yünnan having been restored by the suppression of the Mahometan rebellion, the Government of India became desirous of obtaining accurate information on the subject of Yünnan trade.

In the summer of last (1874), consequently, the Viceroy of India proposed to send a small mission from British Burma into Yünnan, and I obtained a passport for a mission of four persons with their suites, who were to be sent from the Burmese side, and another passport for an interpreter (Mr. Margary), who was to go through China to meet the Viceroy's Mission.

Mr. Margary was further provided with letters to the Governors of provinces through which he had to pass.

The officials in general assisted him kindly, and he duly arrived at Momein.

Here he found letters from the Agent of the Government of India stationed at Bamo, informing him that the Mission had not yet started. He accordingly pushed on to Manwyne, where he found Li-hsieh-t'ai. He sent a messenger thence to Bamo to inform the Agent there of his arrival, and in a few days his messenger returned with a guard of forty Burmese to protect him on his way to Bamo against the wild tribes inhabiting the country he had to traverse.

It is to be noted that Mr. Margary spent several days in friendly intercourse with Li-hsieh-t'ai at Manwyne. He spoke in warm terms of his reception by that officer.

In charge of his Burmese escort, Mr. Margary proceeded safely to Bhamo, reaching

that place about the middle of January 1875, but two days later than Colonel Browne, the officer placed at the head of the Indian mission.

The Viceroy of India being uncertain as to the length of time Mr. Margary's journey would occupy, and being unwilling to risk the chance of mistakes that might arise were the Mission to move forward to the Chinese frontier without an interpreter, had earlier telegraphed to me that it would not move until this want was supplied; and to prevent delay I had dispatched Mr. Allen by sea to Rangoon. He joined Colonel Browne a little later than Mr. Margary, and the whole party thus assembled consisted of the following members: Colonel Browne, Dr. Anderson, Mr. Ney Elias, and Mr. Interpreter Allen, composing the mission under the passport I had forwarded to the Viceroy; and Mr. Margary under the passport with which he had travelled through China.

Their suite was as follows: Mr. Margary had with him a Chinese teacher and servants, some of whom had been engaged at Shanghae, some at Hankow, some in Yunnan. I forget the precise number of these; but they were, if I mistake not, five or six. Mr. Allen had with him also two Chinese who had gone round with him from Shanghae to Rangoon.

Colonel Browne had four servants, three Indians, and one a Chinese born in British Burma. Dr. Anderson had with him three Indian servants, a Burmese servant who could speak the Chinese, and three Indian assistants possessing a certain amount of education who were to collect botanical and geological specimens. There was besides these a Chinese surnamed Li, believed to be a kinsman of Li-hsieh-t'ai, and two grooms.

Mr. Ney Elias had also two servants.

The whole company under the two passports, masters and followers, that were about to enter China would, accordingly, amount to from twenty to thirty persons.

To protect them against the tribes through whose country they had to pass up to the Chinese frontier, the Burmese Government promised a guard of Burmese soldiers. Our people proposed also to take a guard of fifteen sikhs, Indian soldiers, to the same point. The Burmese Government at first objected, and it was not until after some negotiation that it consented. The Burmese escort was to have been 300 strong, but did not in reality amount to half that number. Its precise number, however, is of no great consequence, as the escort was intended to go no further than the security of the expedition against an attack of the hill tribes might render necessary.

One of the party, Mr. Ney Elias, went alone by Maing-mo, following what is called the southern route; he was to rejoin Colonel Browne at Moinein or Yung-ch'ang. Colonel Browne himself was to take the Manwyne route.


For carriage of the baggage it was necessary to engage the services of the hill tribes, and the delay occasioned by their laziness and extortion was such that it was not till the 6th of February that Colonel Browne and those with him were able to move forward from Bamo; nor did they reach the stream known as the Nam Phoung Khyoung, which is considered to be the boundary line between the tribes respectively subject to Burma and China, before the 18th of February.

On that day a Burmese arrived from Manwyne with a report that Li-hsieh-t'ai and the Chief of a certain tribe had conspired together to prevent the Mission entering China. Colonel Browne attached little credit to the story, and the following day, the 19th of February, Mr. Margary started for Manwyne, accompanied by his Chinese teacher and servants, and by Li, the kinsman of Li-hsieh-t'ai. After Mr. Margary's departure, a hill-man came in with a report that Chinese troops were being assembled at Manwyne under Yang-ta-jên, a Chinese official, who, in concert with the Chief before mentioned, was to attack our people.

On the 20th of February, however, Colonel Browne received letters from Mr. Margary, written *en route* to Manwyne, reporting the roads safe; and on the 21st Colonel Browne himself would have moved on to that town, but, some Chiefs of tribes having put difficulties in the way that delayed him, he eventually decided not to go till next day. His party remained on their camping ground between two villages.


In the evening the Burmese guard was again alarmed by observing some Chinese reconnoitring their position from a height above them.

The following morning, February 22, on rising, Colonel Browne perceived a continuous line of armed Chinese defiling towards the rear of his position along a high ridge to the right of his camping ground, and presently there arrived a friendly Chief with the news that Mr. Margary and the Chinese with him had been murdered the previous evening at Manwyne; that a large force of troops had been assembled at Momein to annihilate the foreigners; and that the troops moving along the ridge were but the advanced guard of a more considerable body. The Mission was, in fact, hemmed in by Chinese troops, north, south, and east of it. The ground on which it had passed the night was


surrounded by jungle, and the Chinese, creeping up from the rear, soon opened fire upon our people. Some of the bolder, emerging from a gap in the hill in that direction, advanced into the open ground waving guns and trident spears. They shouted out in Chinese that they were commanded by Shouk-goon (the sounds are doubtful), nephew of the great Li, that is, of Li-hsieh-t'ai, and calling on the Burmese to retire and leave the foreign devils to their fate. 

The Sikh guard opening fire upon them, they fell back with some loss. The Burmese also fired, but they were badly armed, and did no execution. It is noteworthy that the Chinese never fired at the Burmese, and that even when retreating before the fire of the Sikhs, they continued shouting friendly advice to them. They did not venture near the Sikh guard again, but continued firing at it at long range from out of the jungle, in which they lay concealed till the afternoon. Colonel Brown then succeeded in getting the jungle fired in rear of the attacking force; and, as the flames spread, the Chinese rushed back to gain the ridge along which they had originally descended. They left some dead on the field, and the head of one of these was cut off by a hill-man, who brought it to Colonel Brown, observing that he might now perceive that his assailants were Chinese and not men of the hill tribes.


I shall here observe that Mr. Ney Elias, having proceeded by the southern route, had reached Maing-mo on the 15th of February, and had there found Li-hsieh-t'ai, as he, Li, affirmed, with 300 men. Li-hsieh-t'ai strongly urged Mr. Elias to take another line, on the ground that the route he proposed to follow would be exposed to danger from the savages of different tribes. Mr. Elias suggested that Li should give him a guard, but he declined. One of the chiefs showed himself equally opposed to Mr. Elias' advance, stating plainly that, passport or no passport, he could not enter China. Mr. Elias, seeing that between Li and the aforesaid Chief, his way was barred by this route, determined to try another, lying through Burmese territory more to the south, that was recommended by Li, and on the 18th he accordingly quitted Maing-mo.


Before going farther, it should be noted that he had offered a rifle and a quantity of cartridges as a present from the chief of the mission to Li-hsieh-t'ai. Li accepted it and sent a messenger with a card by way of acknowledgment, but he presently sent another to return the rifle, and beg that his card might be sent back. This was on the 16th of February. Early on the morning of the 18th, however, there came a civil message from Li, requesting that Mr. Elias' servant might come over to him. The servant (by name Wang Hsiu-shuang) waited on him, and in due time came back to state that Li had only declined the rifle because he thought Mr. Elias was angry with him, and that he would like to have it. Mr. Elias sent it him by the servant, and Li again returned his card. 

The incident is thus detailedly stated, because the card subsequently played an important part.

As has been stated, Mr. Elias left Maing-mo on the 18th of February, but he made but little way. He could not get carriers. Different reports reached him, to the effect that Li and the Burmese had combined to stop the whole mission, and that Li had soldiers stationed at various points throughout the country of the tribes. 

On the 27th certain chiefs of tribes (Tsawbwas) arrived with a short note from the Political Agent at Bamo, announcing the murder of Mr. Margary and the repulse of the expedition, and conveying instructions to Mr. Elias from Colonel Browne to hasten back to Bamo. Mr. Elias hastened back accordingly.

In the attack on Colonel Browne's party, happily, though some had been wounded, none had been killed, and the whole party being reassembled, returned by Bamo to Mandalay. 

On his way, Colonel Browne became possessed of two letters from Burmese at Manwyne to Burmese, who were with him. The letters were not handed to him or betrayed to him, but being delivered in his presence, he requested permission to peruse them. One was to the effect that, on the 21st of February, the Chinese had killed Mr. Margary, and five Chinese with him in Manwyne. The writers were naturally in great alarm. The other letter, written a little later apparently than the first, from the same Burmese, was to the effect that three Chinese officials (whose names are given) had been sent to Manwyne from the authorities of Momein, and had told the writers to warn the person written to that he must not be with Colonel Browne on the 23rd of February, as on the night of that day the foreigners were to be attacked. If, said the letters, this advice were not taken, and the person addressed or any one with him were in consequence killed or wounded, the Chinese must not be blamed. These letters, it must be observed, were not written for the eye of a foreigner. They were written by Burmese to Burmese, in great alarm. They fell into Colonel Browne's hands, as above described, by accident. The person who received them did not wish to communicate them to him. 

On the 25th of February, Colonel Browne further obtained statements of a Burmese who had gone on with Mr. Margary to Manwyne on the 19th of February, to the effect that, on the 21st, Mr. Margary had been killed by Chinese officers, who, at the same time recommended the deponent to send and tell the Burmese who were with Colonel Browne's party to separate from them. The man accordingly left Manwyne on the 22nd of February, and on his road met the Chinese officer Shouk-goon (who, according to the Chinese that attacked Colonel Browne, was the Commander of the attacking party), and he, Shouk-goon, said that he was coming back from the fight with the English.

Another Burmese, whose deposition was taken on the 1st of March, affirmed that about the 16th of February, he had heard rumours of the collection of a Chinese force to go on the hills. On the 21st, he had seen Mr. Margary in Manwyne. He had seen him several times. Two Chinese officials, whose names are given (the same names as those mentioned in the second letter), came down from Momein. They had a force with them stated to amount to from 3,000 to 4,000 men. These troops were not quartered in Manwyne, but the noise they made was heard outside the walls. In the evening of the 21st, he heard that Mr. Margary had been killed by the order of the officers who had come from Momein, and on the 23rd, the day after the attack on Colonel Browne, the news having arrived that the Burmese escort had stood by the English in the fight, and that the head of a Chinese officer had been cut off by a Burmese, the feeling on the part of the Chinese against the Burmese became so strong that they were advised by the people of the place to fly, and he, the deponent, fled accordingly.

On his return to Mandalay, Colonel Browne found that, on the 16th of February, the Resident had written to inform him that, according to a Report current in the palace, a large body of Chinese was ready to oppose the Mission's entrance into China.

Towards the end of May, Mr. Ney Elias' servant (Wang-Hsiu-Shuang), a native of Han-Yang, who had been originally one of Mr. Margary's suite, arrived in Shanghai. He told a somewhat rambling story, and, when cross-examined, contradicted himself a good deal. On one occasion, however, he stated with tolerable precision, the route that he had followed after parting with his master, and he adhered throughout to one of his first statements, namely, that his safety along the frontier of Yünnan was due to the influence of Li hsieh-t'ai. In his deposition, taken before the Consul at Hankow, he had spoken of a safe-conduct, but this at Shanghai he explained to mean the card of the hsieh-t'ai; that card which Li hsieh-t'ai had sent to Mr. Elias in acknowledgment of his present on the 18th of February at Maing-mo.

Whether Li hsieh-t'ai was present with the troops who tried to cut off Colonel Browne below Manwyne on the 22nd of February, there is nothing to show. On the 18th, as Mr. Elias shows, Li was at Maing-mo, according to his own account, with 300 men. Manwyne is not 100 miles from Maing-mo. He would have had time enough, therefore, to fall back on Manwyne after Mr. Ney Elias' departure. The troops who attacked, however, shouted out that their leader was Shouk-goon, the nephew of Li, and they would hardly have done this had Li himself been with them.

It further appears that, so far back as the 26th of January a Chinese merchant, whose name is given, informed the Political Agent at Bamo that 4,000 Chinese troops were waiting the arrival of the British Mission at Momein, on the route which it had originally been intended that it should take. Mr. Margary had been so well received on his passage through Yünnan that the Agent discredited the report as hardly worth recording.

[Extracted from the journals and papers of Colonel Horace Browne and Mr. Ney Elias.]

July 17, 1875.

(Signed)

THOMAS FRANCIS WADE.

No. 28.

Mr. Wade to the Earl of Derby.—(Received September 13.)

My Lord,

Shanghai, July 24, 1875.

I HAVE the honour to inclose copy of a note embodying the instructions contained in your Lordship's telegram of the 23rd June.

I have, &c.

(Signed)

THOMAS FRANCIS WADE.

Inclosure in No. 28.

*Mr. Wade to the Prince of Kung.**Shanghai, July 12, 1875.*

Your Imperial Highness,

I HAVE the honour to refer to the correspondence that has earlier passed between your Imperial Highness and myself on the subject of the Yünnan outrage; in particular to my note of the 24th of March, to your Imperial Highness's note of the 29th of March, and to my answer of the same date; lastly, to two notes addressed me by your Imperial Highness upon the 14th of April, and to my reply to these dated the 28th of the same month.

The second of your Imperial Highness's notes of the 14th closed with a request that the observations it contained might be made known to my Government, and that an answer might be sent direct from the Foreign Office to your Imperial Highness, and in my reply of the 28th I informed your Imperial Highness that the whole of the correspondence that had passed between us in relation to the Yünnan question, together with every Memorandum and Minute of conference affecting it, had been sent home on the 17th of April, and that translations of your Imperial Highness's notes of the 14th of April, as well as copy of my reply of the 28th, would follow upon the 3rd of May. Whether the Earl of Derby would comply with your Imperial Highness's request, or would convey his opinion in the usual way—through myself—must be left, I observed, for his Lordship to decide.

The mail of the 17th of April reached England on the 7th of June, that of the 3rd of May on the 21st of June, and on the 23rd of June the Earl of Derby telegraphed instructions to me to the following effect. I was to state to your Imperial Highness that the whole correspondence above particularised had been carefully considered by Her Majesty's Government; that my conduct was entirely approved and the terms of my note of the 28th of April fully concurred in; that nothing short of thorough investigation would satisfy Her Majesty's Government; and that at any such investigation British officers must be present. Past experience has shown this to be necessary. As regarded indemnity, if the Chinese Government showed a disposition to facilitate inquiry, Her Majesty's Government would defer further consideration of that question until the result of the inquiry were declared, but the right was reserved of bringing forward the claim for indemnity if the Government were to see reason to be dissatisfied with the conduct of the inquiry.

I received the telegram upon the 27th of June, but have detained this communication until Mr. Mayers, the Chinese Secretary, who was absent on leave, should return, as I proposed forwarding it by his hand.

To prevent possible misapprehension as to the nature of the message now transmitted to your Imperial Highness, I think it well to add a few words of explanation. The method of conducting public business in England differs materially from that in use in China. In China the despatches of the provincial Governors and other high officers are addressed directly to the Sovereign. So I presume would be the reports of Chinese Ministers residing at foreign Courts. Her Majesty's Representatives abroad ("Ch'in ch'ai ta ch'ên"), no matter how high their degree, correspond with the Secretary of State for Foreign Affairs. The Secretary of State lays their correspondence before the Sovereign, and, when occasion demands, this is further considered by the Secretary of State and his colleagues, the other members of the Government. The answer addressed to the Minister concerned, though signed by the Secretary of State for Foreign Affairs alone, represents the opinion arrived at on the question under review by Her Majesty, assisted by her responsible advisers, and goes forth consequently as the decision of Her Majesty's Government.

The Earl of Derby's message of the 23rd of June must be read by this light. Strictly speaking, whenever the words "British Government" or "my Government" occur, they should be translated by words requiring an elevation *à la Chinoise* above the column. But although careful to observe forms of this kind when speaking of the Chinese or any other foreign Government, I do not, as a rule, think it necessary to be equally punctilious when speaking of my own. The essential in this instance is that the intimation I have been instructed to make should be accepted by your Imperial Highness, not as proceeding simply from the Secretary of State for Foreign Affairs, but as conveying the decision of Her Majesty's Ministers after perusal of the correspondence submitted to the Queen; and my desire to make this plain to your Imperial Highness must be my excuse for occupying so much space upon the subject.

I avail, &c.

(Signed) THOMAS FRANCIS WADE.

No. 29.

The Earl of Derby to Mr. Wade.

Sir, *Foreign Office, September 16, 1875.*
 I HAVE received and laid before the Queen your despatch of the 24th of July, forwarding further correspondence on the subject of the Yünnan outrage; and I have to state to you that your proceedings are approved by Her Majesty's Government.
I am, &c.
 (Signed) DERBY.

No. 30.

The Earl of Derby to Mr. Wade.

Sir, *Foreign Office, September 16, 1875.*
 I APPROVE the note of which a copy is inclosed in your despatch of the 24th of July, which you addressed to the Prince of Kung on the 12th of that month, communicating to him the substance of my telegram of the 23rd of June respecting the Yünnan outrage.
I am, &c.
 (Signed) DERBY.

No. 31.

The Earl of Derby to Mr. Wade.

Sir, *Foreign Office, September 29, 1875.*
 I RECEIVED on the 27th instant a telegram from you without date, stating that the Yamên would not promise any of the guarantees you had asked for, and that you had informed them on the preceding day that you should at once withdraw the Legation, and report to Her Majesty's Government that it was useless to send a Secretary to Yünnan, because you did not look for any better results than in the case of the Tien-tsin massacre.
 You added that the Prince had answered that he would call on you on the 21st instant, and that you thought it probable that he would then make some overture.
 It is not quite clear from your telegram, or from the preceding one, whether the guarantees to which you refer relate exclusively to the proposed inquiry in Yünnan, or include the fifth, sixth, and seventh demands reported as having been made by you, in your telegram of the 8th instant. I have therefore addressed a telegram to you, inquiring what are the guarantees which the Yamên will not promise, and on account of which you have threatened to withdraw the Legation; and I have at the same time authorised you to repeat to the Chinese Government that Her Majesty's Government insist that a thorough and satisfactory inquiry should be held in the presence of British Officers into the circumstances of Mr. Margary's death, and of the attack upon the mission under the command of Colonel Browne: the inquiry to be followed by the punishment of the persons implicated in these transactions.
 Her Majesty's Government consider that there should be no further delay in instituting this inquiry.

I am, &c.
 (Signed) DERBY.

No. 32.

The Earl of Derby to Mr. Wade.

Sir, *Foreign Office, October 21, 1875.*
 I HAVE received and laid before the Queen your telegraphic despatches of the 7th and 18th instant, reporting that you had obtained satisfactory guarantees from the Chinese Government, and that you were about to despatch Mr. Grosvenor to Yünnan.
 The guarantees in question included the appointment of a Mission to England,

charged with a letter of apology, and a promise that escorts should be provided to and across the frontier of Burma, for a Mission of inquiry, and for a new Indian Mission, as well as the issue of the Decree of the 28th of September, directing the Yamên to confer with the other departments of the Government on the question of personal intercourse with the foreign Representatives; and of that of the 10th of October, calling the attention of the Provincial Governments to the passport clause of the Treaties, and to the appointment of a High Commission, consequent on the murder of Mr. Margary.

You state further that you have been officially informed by Prince Kung that the Inspector-General of Customs has been instructed to report fully on the taxation of foreign trade, and that a competent Chinese officer will be appointed after the termination of the inquiry in Yünnan to confer with a British official on the regulation of the Burma frontier trade.

These arrangements appear to Her Majesty's Government to be satisfactory.

If faithfully carried out, they cannot fail to conduce to the establishment on a better footing of the relations between Great Britain and China, and they will give the Chinese Government an opportunity of showing their willingness to atone, as far as possible, for the injury done to a friendly power, by the attack made on its officers, when employed on a peaceful mission, and the unprovoked murder of one of them.

I have great pleasure in conveying to you the entire approval of your conduct by Her Majesty's Government, and their high appreciation of the ability and perseverance with which you have conducted the recent negotiations.

I have authorized you by telegraph to inform the Chinese Government of this approval.

You will add that Her Majesty's Government will watch attentively the manner in which the engagements taken by the Chinese Government are carried out, and that the re-establishment of the good understanding between the two countries, which has been disturbed, in consequence of the conduct of Chinese officials, will depend on the fidelity with which the promises now made on behalf of China are performed.

I am, &c.
(Signed) DERBY.

No. 33.

Mr. Wade to the Earl of Derby.—(Received October 25.)

My Lord,

Tien-tsin, August 26, 1875.

I HAVE the honour to forward translation of despatch, dated 31st July, from the Prince of Kung.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 33.

The Prince of Kung to Mr. Wade.

(Translation.)

July 31, 1875.

ON the 26th instant the Prince received Her Majesty's Minister's despatch to the effect that the British Government had learned that Li Ssu-t'ai-yeh, whose nephew was the officer in command of the troops ordered by the Momein authorities to attack Colonel Browne's mission in February last, had proceeded to the capital of Burma and was being honourably entertained by the King, and that the King, when requested to explain by an officer of high rank sent to the Burmese capital, gave as a reason that he had been sent as Ambassador to China with the Proclamation announcing the accession of the Emperor of China.

The Prince has to observe, with reference to the murder of Mr. Margary, that the Governor of Yünnan has recently addressed a Memorial to His Majesty in which he states that Brigadier-General Yang Yü-ké, and Taotai Ch'ên Hsi-ch'ên report that, to the south-west of Sanda, there is a hill town, the local name of which is Man² Yün,³ nearly the same as the two sounds Man³ Yün.^{2*} They at once went themselves to Man Yün, and there discovered that, in the 11th moon of last year (December 1874), a foreigner called Ma, on his way from T'êng Yüeh (Momein) to Burma had passed through Man Yün, and

* The difference is in the tones under which the syllables are respectively ranged. The characters represented by the first Man² Yün³ are the correct ones.

again, when in company with some foreign officers and soldiers from India, whom he had met by appointment, and who came for the first time, the whole party reaching Yunnan in the month of February. Fearing lest they should be attacked and robbed by the savages, they first prepared presents which they sent by some Burmese to the Heads or Chiefs of these people. They at the same time hired (or instructed the Burmese to hire) savages, mules, and horses to transport their effects. Moved by the sight of their property, the savages forthwith mustered in large force, barred the road, and robbed and plundered [the foreigners], first killing the foreign official Margary, who was acting as guide [to the party].

On the same day [that the Memorial arrived, the Council] had the honour to receive the Imperial Decree: "Let the Governor-General of the Hu Kwang Provinces, as before ordered, go with all speed to Yunnan, and ascertain with precision the particulars of this case. Let Liu Yüeh-chao also, as soon as he has arrived at Yunnan, put himself in communication with Ts'ên Yü-ying, and let a further report be carefully made by them." Respect this.

Just as the Prince was preparing a despatch on this subject, he received Her Majesty's Minister's communication above quoted. As in duty bound, his Highness now communicates, in reply to Her Majesty's Minister, the main particulars of the inquiries made and action taken in this case by the Governor of Yunnan, and when the Governor-General of the Hu Kwang Provinces shall have reached Yunnan, and reported to His Majesty the facts ascertained by him, in concert with the Governor-General and Governor of that Province, it will be his duty to write again, and more fully, to Her Majesty's Minister.

In the case of the Proclamation announcing the accession of an Emperor to the Throne, it has hitherto been the custom for the various Provincial Governments to depute officers to convey these missives; an Imperial Commissioner is not specially appointed for that purpose. The Yamên have no official communication or report on record [from which they can learn] whether or no Li was one of the officers despatched to Burma on this occasion by the Provincial Government of Yunnan, but they have already written to the Governor-General and Governor of the Province to inquire.

No. 34.

Mr. Wade to the Earl of Derby.—(Received October 25.)

My Lord,

Tien-tsin, August 26, 1875.

IN my interview on the 10th August, I promised to submit to the Grand Secretary Li a statement in writing of the measures which I should regard as sufficiently guaranteeing a change in the foreign policy of China as to justify me sending Mr. Grosvenor to Yunnan, and in remaining myself at Peking. His Excellency Li was *officieuxment* to make what use he thought best of my statement

I inclose copy of my paper, which I sent in English by the hand of Mr. Grosvenor.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 34.

Memorandum for the Information of his Excellency the Grand Secretary Li.

BEFORE coming to the situation, as I stated it yesterday, I shall mention that in March last, having obtained passports to enable Mr. Grosvenor and an interpreter to proceed to Yunnan for the purpose of investigating the circumstances of the attack on Colonel Browne's Mission, and the murder of Mr. Margary, I kept back these gentlemen for various reasons, one of the chief being that I desired first to have all the information the Government of India could supply. I wished also to compare with this any information the T'sungli Yamên might receive.

Colonel Browne himself joined me on the 9th June, and the papers completing the story of the Yunnan affairs, as reported to the Government of India, reached me a few days after.

It is unnecessary here to repeat that story at length. The essential is that for weeks before the attack on Colonel Browne, both Chinese and Burmese were aware that Chinese troops were preparing to attack it; that it was attacked on the 22nd February

by Chinese troops ; and that, as soon as these had been repulsed, letters were intercepted from Burmese to Burmese, to the effect that troops had come down from Momein with Chinese officials, and that these officials had warned the Burmese writing the letters to caution their correspondents to keep away from the British, as the British were to be annihilated.

About the middle of June a Decree appeared in the Gazette directing Li, Governor-General of Hu Kwang, to proceed to Yünnan, on what Mission the Decree did not state, but as the Prince of Kung presently forwarded me the Decree, I assumed that it had reference to the Momein outrage.

I had, meanwhile, applied to the Viceroy of India to direct Colonel Browne also to proceed to Yünnan, and I now sent Mr. Grosvenor up to Wu Ch'ang to wait upon the Governor-General Li.

It is needless to repeat here the substance of his Excellency's replies to the questions Mr. Grosvenor had been instructed to ask. It has been stated again and again to Li Chung-t'ang in the last few days by Mr. Mayers and myself. The Governor-General's tone was completely unsatisfactory. A despatch from the Prince, received a short time before Mr. Grosvenor's return from Wu Ch'ang, was equally so, for it declared that no information had been received from Yünnan, except that two officers had been sent to the scene of the crime to make inquiries. This was six months after the affair in Momein had occurred, news of which had been received in Tien'tsin before the end of April, and was current in Ssu-ch'uan and Hu Peh in May.

I at once decided that Colonel Browne should go back to India to report to the Viceroy, and having sent Mr. Mayers on before me, I myself came north with Mr. Grosvenor.

At Tien-tsin, I received two despatches from the Prince of Kung, dated 31st July, both of which the Chung T'ang has seen. One of them embodies a report from Ts'ên, the Acting Governor-General of Yünnan, to the effect that Colonel Browne's assailants were men of the Hill tribes, tempted by the prospect of plunder ; and, while expressing a hope that the officers I may send to Yünnan will be warned not to force their way into danger, His Imperial Highness implies that the Chinese Government may not be able to guarantee their safe passage through the country on the borders of Yünnan.

With the facts reported to the Indian Government before me, with the fact also that under protection of his passport, Mr. Margary found no difficulty whatever in traversing the country in question last January, it was impossible that the Prince of Kung's words should not increase the misgiving I had already felt regarding the *bona fides* of the Chinese Government.

In a word, if Mr. Grosvenor is to go anywhere, it is to the Manwyne country he must go. But, with the Governor-General Li's declaration on the one part, and the Prince of Kung's on the other, I do not see that his mission, if he were to go, would be of any practical effect whatever. The Grand Secretary Li's assurances on the subject are all that I could desire. I am sure that he will write to his brother the Governor-General Li to do all in his power to assist Mr. Grosvenor ; but his Excellency, however high his position, however much respected by natives and foreigners the words that may fall from him, is, by his own admission, not invested with responsible authority in this question. How, indeed, should he be ? I ask the question, as the Grand Secretary is aware, without the smallest intention to be disrespectful to an official in every way so distinguished as himself. But his Excellency must remember that the Government of China, when it appointed the Tsung-li Yamên, announced to the Powers in Treaty relations with China that the administration of foreign affairs would be vested in the Yamên, and it is to the utterances of the Yamên and the action taken by it that my own Government will not fail to look ; and unless I can receive from the Yamên such guarantees as I can report to my Government are, in my opinion, sufficient to prove that the Chinese Government is not trifling with this question, I am resolved that Mr. Grosvenor shall not proceed to Yünnan. I shall myself wait at Tien-tsin at least until I receive replies to letters I have written to the Prince of Kung and Mr. Mayers' report of what has passed at the Yamên.

The Grand Secretary has asked me what are the guarantees I require. I have stated both to the Yamên and to the Grand Secretary that the redress of the particular wrong now under discussion is not more necessary than that the Chinese Government should give immediate proof of its determination to fulfil the Treaties ; not only of such of their provisions as affect commercial interests, but those also which engage the Government of China to accept the same relations with foreign Powers as foreign Powers accept one with another.

I put forward these two propositions in general terms on the 19th March, at the

same time that I urged the payment into my hands of a sum of money to be applied as Her Majesty's Government might see fit, and that I demanded passports. The accordance of passports which would enable the bearer to be present at the investigation in Yünnan I explained from the first was the indispensable condition of all. When I found a disposition to avoid the discussion of these, I withdrew all beside but the question of indemnity. An attempt being subsequently made to prove that, by Treaty, the right of joint investigation was limited to the Treaty ports, I withdrew from all discussion even of the indemnity, and confined myself solely to the demand for passports.

The whole of my proceedings having been emphatically approved by Her Majesty's Government, I return to my starting point.

Firstly. If the Chinese Government desires to secure itself and foreign Powers against the danger of such misunderstandings as that now impending, it will improve the present condition of diplomatic intercourse, beginning, of course, at home. It is to this end that I urged the Prince of Kung to give me some evidence that something would be done towards the observance of Article IV of the Treaty. If it be objected that minority of the Sovereign and an Empress Regency are obstacles to complete fulfilment of its provisions, the answer is that improvement of the position of foreign Representatives in Peking is nevertheless perfectly practicable. As in other capitals in which foreign Legations are established, there can be intercourse with the higher officials, not for purposes of business. Foreign affairs can be discussed only with the Department which they concern, the Tsung-li Yamên, to wit; but in evidence of friendly feeling and of a disposition to conform to foreign usages as prescribed by the Treaty.

Secondly. The Chinese Government will make a serious effort to give effect to the Articles of the Treaty affecting trade both at the ports and inland. Its present order of proceeding is at some points crippling, at others destroying the trade, not less to the loss of the revenue than to the injury of the foreign merchant.

The measures of reform indicated above include almost all that, on general grounds, can be called for. To come now to the Yünnan outrage.

Thirdly. The Prince of Kung ought immediately to give me an assurance in writing that such an escort shall be provided Mr. Grosvenor as will guarantee his safety as far as Manwyne, and, if he desire to return by Rangoon, as far as the point on the frontier nearest Bhamo. This point is but a few miles from Manwyne.

Fourthly. A similar assurance should be given me regarding the escort of a fresh mission from India.

There can be no difficulty about these two conditions. If Mr. Margary could go and return unmolested without an escort of Chinese troops, *à fortiori*, can any one be protected by such an escort.

Fifthly. The Prince of Kung, as soon as he receives my report of the outrage, should immediately lay it before the Throne, and a Decree should be issued requiring the Acting Governor-General Ts'ên to state how it happens that nearly six months after the event no more precise information has been forwarded to Peking than that contained in the Memorial of the Acting Governor-General, quoted in the Prince's despatch of the 31st July.

Both the Memorial and the Decree in reply should be published in the "Gazette," care being taken, if the British Government or the British Minister is spoken of, that no form is employed other than should be used in speaking of a power the equal of China.

Sixthly. A Minister of high rank should be at once sent to England to express the regret of the Chinese Government at what had occurred. He should have instructions, going and returning, to pass through India, and to ascertain from the Viceroy of India the nature of the conditions under which the Government of India would desire to see the trade of British Burma placed by the Chinese Government.

Seventhly. The Decree directing this Minister to proceed to England should also appear in the "Gazette."

(Signed) THOMAS FRANCIS WADE.

Tien-tsin, August 11, 1875.

No. 35.

Mr. Wade to the Earl of Derby.—(Received November 2.)

My Lord,

Tien-tsin, August 26, 1875.

IN continuation of my earlier despatches of this date, I have the honour to forward copies of two despatches I have addressed the Prince of Kung, the first containing a

narrative of the Yünnan outrage, compiled with great care from the papers in my possession and from the information furnished me by Colonel Browne, the second being a commentary on the first.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 35.

Mr. Wade to the Prince of Kung.

(Extract.)

Tien-tsin, August 20, 1875.

I HAVE the honour to acknowledge your Imperial Highness' communication of the 31st July, replying to my question concerning the mission of Li-hsieh-t'ai to Burma.

This note incidentally quotes a Memorial of the Governor of Yünnan, which embodies the report of the Tsung-ping and Taotai whom he had called upon to state what had occurred at Manwyne in February last.

According to these officers, they had visited Manwyne and had there discovered that a foreigner named Ma had passed through Manwyne, on his way from Momein to Burma, in December 1874; that he by-and-by returned, in company with a number of officers and soldiers from India; that this party reached Yünnan in February last; that they endeavoured, through the Burmese, to propitiate the Chiefs of the tribes whose country they were about to traverse; but that the savages of these tribes, tempted by the sight of the things belonging to the foreigners, waylaid them in force and robbed them, first killing Mr. Margary, who was acting as guide.

I shall request your Imperial Highness' attention to a very different version of the story. As your Imperial Highness is aware, Colonel Browne, the head of the mission repulsed below Manwyne last February, was directed by the Viceroy of India to come to China and to place himself in communication with me. My conversations with Colonel Browne and the perusal of his journals and other papers forwarded me by the Viceroy of India, enable me to state what befel the mission with tolerable precision.

I shall first advert briefly to Mr. Margary's passage through the province of Yünnan. When I obtained passports for the Indian mission that was to enter Yünnan from the Burmese side, I obtained not only a passport for Mr. Margary, whom I was sending overland to interpret for the mission, but also letters which he was to carry from the Tsung-li Yamên to the Provincial Governments, through whose jurisdiction he would have to travel. From his journal, which is in my hands, it would appear that when he reached Yünnan-fu, the capital of the Province of Yünnan, upon the 27th November, he found that the Governor Ts'ên, Acting Governor-General of Yünnan and Kwei-chow, had been prepared by letters from the Tsung-li Yamên for his approach. At Mr. Margary's request his Excellency forwarded a letter for him to Colonel Browne, via Yung-ch'ang, and he sent a couple of officials, a military man named Yang, and a civilian named Chou, with him to that city. (It is clear that the Governor Ts'ên could be in no doubt as to the official character of "the foreigner named Ma," or of the nature of his errand.) It is plain that he knew Mr. Margary was to return by way of Yünnan-fu, for although he had excused himself from receiving him in person on the ground of his being busy, he sent to him to say that when he came back he would receive him. In a letter to me Mr. Margary dwelt much on the attention shown him by the Acting Governor-General Ts'ên.

It is not necessary to follow Mr. Margary step by step to Momein. On the 3rd of January he wrote from that place to the Agent of the Government of India residing at Bhamo, who received his note on the 9th. He then pushed on to Nan-t'ien, the headquarters of Li Chên-kuo, otherwise Li, the fourth brother, who appears to have the rank of "hsieh-t'ai" in the district in question. Li hsieh-t'ai was absent on duty at Manwyne. Mr. Margary came up with him there, and was hospitably received by him.

Manwyne, described in the Acting Governor-General Ts'ên's despatch as a hill town, is some sixty miles or more from Bhamo. The country between the two places is inhabited by wild tribes, known as Kakhyens, Shans, and others; many of them, as is shown by the Memorial of the Acting Governor-General Ts'ên, published in 1872, subject to the Emperor of China. Some, however, have their home on Burmese territory. The river Nam-hpoung is regarded by the Chinese as the boundary of China. (Colonel Browne was informed that, when some time ago the Burmese were erecting guard-houses to protect the road from Bhamo, Li hsieh-t'ai and other Chinese officials

protested against their construction on the Chinese side of the river. There are five of these guard-houses between Bhamo and the Nam-hpoung.

Manwyne is the nearest town in China to the Burmese frontier by this route, and when Chinese officials proceed by this road to Burma, it is at Manwyne that they are handed over to a Burman guard for protection.

From Manwyne accordingly Mr. Margary despatched a Chinese messenger to Bhamo. The man returned in a few days with a guard of forty Burmese, and, escorted by this guard, Mr. Margary and the Chinese with him arrived at Bhamo on the 17th of January. It is especially to be noted that they met with no trouble or difficulty on their way.

The Viceroy of India, being uncertain when Mr. Margary might reach Bhamo, and fearing that if Colonel Browne's mission were to advance without an interpreter, trouble might arise, had resolved that the Mission should not move forward unless it had an interpreter with it, and had telegraphed to me some weeks previously to this effect. To prevent delay I had sent Mr. Allen, another interpreter, round by way of Rangoon. Colonel Browne, however, had been in Bhamo but a couple of days when Mr. Margary appeared. Mr. Allen joined them a few days later.

The whole party thus assembled consisted of the following members: Colonel Browne, Dr. Anderson, Mr. Ney Elias, and Mr. Allen, the Interpreter, representing the Mission, travelling under the passport sealed by the Tsung-li Yamên on my application last summer, and forwarded to the Viceroy of India. Mr. Margary travelled under the passport with which he had crossed China.

Their suite was as follows:—

Mr. Margary had with him a Chinese teacher, and five or six Chinese servants, some of whom had been engaged at Shanghae, some at Hankow, and some in Yünnan.

Mr. Allen had with him also two Chinese who had accompanied him from Shanghae to Rangoon.

Colonel Browne had four servants, three Indians, and a Chinese, surnamed Li, who stated himself to be a near relative of Li-hsieh-t'ai. He had been born in British Burma, and spoke both Burmese and Chinese.

Dr. Anderson, the medical man, had with him three Indian servants, a Burmese, who could speak Chinese, and three Indian assistants, possessing a certain amount of education, who were to assist in collecting botanical and geological specimens.

Mr. Ney Elias had two servants. This gentleman had formerly been in business in China. He had travelled much in the interior, and so lately as 1872 had returned to Europe via Siberia by way of Uliastai.

There were besides two grooms (I imagine Indians) to look after the horses of the party about to enter China.

The whole company under the two passports would accordingly amount, masters and followers, to from twenty to thirty persons.

To protect them against the tribes before mentioned, who are notorious thieves, the Government of Burma promised a guard of 300 men, who were to go with them as far as Manwyne. The number really furnished, according to Colonel Browne, was about 130. They were to appear not soldiers, but militia or villagers, armed for the occasion. Our people proposed to take also a guard of fifteen Indian policemen, armed and drilled like soldiers, with an officer to command them. These Sikhs were to be sent back either from Manwyne or from any point farther inland at which a Chinese authority might be found ready to assure the security of the Mission.

The mission was to move through the hill country by two routes; Mr. Ney Elias was to take what is known as the southern route, and to rejoin Colonel Browne at Momein or Yung-ch'ang. Colonel Browne and the rest had intended to proceed by the Sawuddy road, but, as will be seen in the sequel, they found this impossible, and they eventually took the road that leads via Tsekaw, Poulyne, Pensee, Manwyne, Sanda, and Nantien to Momein.

I shall here mention that on the 26th January, before the mission started, a Chinese merchant, who appears to have been in the habit of going and coming, informed the Political Agent at Bhamo that 4,000 Chinese troops were waiting at a place, which he named, to attack the mission. This merchant, whose name is given, was known to the Agent, but the Agent, conceiving that the friendly treatment experienced by Mr. Margary when passing through Yünnan, sufficiently discredited any report of the kind, though he entered it in his journal, put no faith in the assertion.

Colonel Browne, as I have said, intended to follow the Sawuddy route, and he had hoped to start from Sawuddy about the 28th January, but he found it impossible to get the baggage of his mission carried forward. For the transport of this baggage it was necessary to engage the services of the tribes, and he found the chiefs on the Sawuddy

route so obstructive that he was obliged, after a short experience, to return from Sawuddy to Bhamo, and proceed by Manwyne. The tribes on that side, under the influence of Burmese officials, came to terms, but their laziness and extortion was such that he did not get away from Bhamo until the 6th February, and it was the 18th before he reached the fifth and last guard-house on the western bank of the Namhpoung, mentioned above as the common boundary of China and Burma. It is at this point a rapid river, some 30 feet broad, fordable in most places.

There had been a rumour the day before among the savages that there would be trouble along the road farther on, and on the 18th a Burmese, on his way south, came into camp and stated that, according to the King of Burma's cotton agents residing at Manwyne, which place he had left that morning, Li-hsieh-t'ai and a certain Chief had combined to prevent the entrance of the foreign mission into China. The Burmese, be it observed, told this not to Colonel Browne, but to certain Burmese who were in his suite. Colonel Browne had met the man earlier in the day, and, in answer to his questions, had been assured by him that everything was all right at Manwyne. He heard subsequently from his own Burmese what their countrymen had told them.

What the main object could be in assuring him that the road was secure, while in the same breath he warned his fellow countrymen that it was unsafe, Colonel Browne could not divine, still he was unwilling to believe his story, and Mr. Margary scouted it as ridiculous. It was eventually decided that he, Mr. Margary, with his Chinese teacher and servants, should start the next day for Manwyne, accompanied by the man named Li, before spoken of as the relative of Li-hsieh-t'ai. A guard of Burmese and hill-men (Kakhyens) were to escort them to Manwyne.

Mr. Margary had not long left the camp, on the morning of the 19th February, when a Kakhyen came in and stated that he had left Manwyne the day before, and that he had there heard of a force being collected by one Yang-ta-jên, a Chinese official, to oppose the advance of the mission, and that the Chief of one of the tribes (the Tsairai Tsawbwa) was to act with Yang-ta-jên. The same man stated that Li-hsieh-t'ai was not at Manwyne, but at Maing-maw, on the southern route.

On the 20th Colonel Browne received letters from Mr. Margary and the man named Li (who could write Burmese). They had reached the town Tsarai, the head-quarters of a tribe, and reported the roads up to that point safe, and the people everywhere civil. Colonel Browne accordingly crossed the Nam-hpoung with the mission, and commenced the ascent of the hills to the east of it, passing through various villages, of which the Chiefs showed themselves friendly, until he reached a camping-ground on a considerable elevation, some distance from Tsarai.

Here the man named Li came back to the mission from Tsarai. The Chief, he said, had received him with open arms when he found him to be a relative of Li-hsieh-tai; but he described him as discovering some anxiety lest he should get no share of the money which was to be paid as black-mail to the tribes; and it was finally arranged that he, Li, should return next morning to the Chief with a present, and with a promise that he should not be a loser.

On the following morning, 21st February, Li went forward to Tsarai with the present. The mission was also to have started early, but difficulties were made by some of the Chiefs, on whose aid they were dependent for the transport of their baggage; and, after waiting for some hours, Colonel Browne and his companions decided to leave the baggage in camp, and to go with their Sikh guard as far as Tsarai, to try and quicken the Chiefs. On their way they were overtaken by a Kakhyen, who begged them to return to the camp, as their Burmese wished to consult them about moving the baggage. They were, by this time, so near Tsarai that Colonel Browne preferred to go on to that place, promising that, his visit paid, he would go back to camp if necessary. He found Tsarai to be a village situated on high ground, from which the cliffs about Manwyne were visible, and, at one time, he had thoughts of proceeding at once to that town, but the manner of the Tsarai Chief and his people awakened his suspicions. This Chief's son, too, it had been agreed, was to remain at a particular spot as a hostage for the safety of the mission; and a report was current that he had disappeared. Colonel Browne therefore resolved to wait for the morrow's news; and leaving behind at Tsarai a Chief who had made very friendly professions to obtain information, he and the rest of his mission made their way back to the camp, which they reached in the evening.

Here they found that the tale of the Kakhyen who had overtaken them in the morning was false; that the detention of their baggage was due, not to the objections of their Burmese, but to the refusal of certain Chiefs to let it move. The reason of this obstructiveness will, I think, be plain in the sequel.

Another unpleasant piece of intelligence was that some Chinese had been seen recon-

noitring the position of the camp from the height above it. This had so alarmed the Burmese that they had thrown up a couple of breastworks.

The ground on which the Mission was encamped was overlooked, more or less, by hills on three sides; in front, to the right, and in rear, to the left—that is, westward. A steep slope descended almost precipitately to the River Nam-hpoung.

On rising on the morning of the 22nd February, Colonel Browne found a continuous line of armed Chinese defiling along a ridge on his right towards the rear of his camping ground, where, on a hill covered with jungle, a strong force had established itself. It soon became apparent that, except on the steep to his left, by which it was impossible to attack him, he had enemies on all sides; and, while in doubt as to what could have provoked their hostile action, the chief of friendly professions came up the steep on his left with the news that Mr. Margary and all the Chinese with him had been murdered the previous evening at Manwyne; that a force of 4,000 men had been assembled by Chinese officials at Momein to annihilate the Mission, and that the men then approaching were but part of an advanced guard of 800 men. He had endeavoured, he said, to reach the Mission earlier to give the alarm, but had been detained, and deprived of his pony. He had, however, escaped, and had come on on foot. While he was speaking the Chinese, creeping up through the jungle in the rear, began to fire on the Mission, and the chief disappeared.

Some of the bolder Chinese advanced through a gap in the hills in rear of the position into the open ground, waving guns and trident spears. They shouted out in Chinese that they were commanded by Shouk-goon (the sounds are doubtful), nephew of the great Li (that is, of Li-hsieh-t'ai), and called on the Burmese escort to retire, and leave the Ka-la to their fate. The word Ka-la, or Koo-la, appears to be opprobriously used on the border as Kuei-tzu is in Peking and other parts of the Empire.

The Sikh guard opening fire upon these Chinese soon drove them back with some loss. The Burmese also kept up a fire; but they were badly armed, and did no execution. It is noteworthy that throughout the Chinese never fired at the Burmese, and that even when retreating before the fire of the Sikhs they continued as before to shout their advice to the Burmese to keep away from the foreigners. After their first repulse they did not venture near the Sikhs again, but continued firing at them at long range from out of the jungle, where they were concealed, till the afternoon. Colonel Browne then, with the aid of some friendly savages whom he bribed, succeeded in getting the jungle fired in rear of the attacking force, and as the flames spread the Chinese rushed back to gain the ridge along which they had originally come down. On examining the ground after their flight, Colonel Browne found that works had been thrown up during the night across the road in his rear, so as to intercept his retreat. The Chinese had left some dead on the field, and the head of one of the latter was cut off by a hillman, who brought it to Colonel Browne, observing that he might thereby be satisfied that his assailants had been Chinese, and not men of the hill tribes.

While these things were passing on the middle route, Mr. Ney Elias, though happily he escaped alive, was meeting with all sorts of difficulties on the southern route. He had reached Maing-maw on the 15th February, at which town he found Li-hsieh-t'ai, as Li affirmed, with 300 men. Li-hsieh-t'ai urged Mr. Elias to take another line, on the ground that the route he proposed to follow would be exposed to great danger from the savages of different tribes. Mr. Elias suggested that Li-hsieh-t'ai should give him a guard, but he declined.

One of the chiefs in that neighbourhood showed himself equally opposed to Mr. Elias's advance, stating plainly that, "passport or no passport," he could not enter China on that side.

Mr. Elias, seeing that between Li and the aforesaid chief his way was completely barred, determined to try another road lying through Burmese territory further south, and that was recommended by Li-hsieh-t'ai, and on the 18th February he moved on from Maing-maw in the direction indicated.

Before going farther it should be noted that he had offered a rifle and a quantity of cartridges as a present from the Chief of the Mission to Li-hsieh-t'ai. Li accepted the present, and sent a message with a card by way of acknowledgment, but he shortly after sent to say he must decline the rifle, and to beg that his card might be given back. This was on the 16th February. Early on the morning of the 18th, however, there came a civil message from Li, requesting that Mr. Elias's servant might come over to him. The servant, by name Wang Hsiu-shuang, waited on him, and in due came back to state that Li had only declined the rifle because he thought Mr. Elias was angry with him, and that he would like to have it. Mr. Elias sent it to him by the servant, and Li again returned his card.

The incident is thus detailedly stated because the card subsequently played an important part.

As has been stated, Mr. Elias left Maing-maw on the 18th February, but he made but little way. He could not get carriers. Different reports reached him to the effect that Li and the Burmese had combined to stop the whole mission, and that Li had soldiers stationed at various points throughout the country of the tribes.

On the 27th February certain Chiefs of tribes (Tsawbwaw) overtook him, with a short note from the Political Agent at Bhamo, announcing the murder of Mr. Margary and the repulse of the expedition, and conveying instructions to Mr. Elias from Colonel Browne, to hasten back to Bhamo. To Bhamo Mr. Elias proceeded accordingly.

To return now to Colonel Browne. In the attack of the 22nd February, though some of his people were slightly wounded, no one happily was killed, and the Chinese having drawn off in the manner I have described, the Mission commenced its retreat towards Bhamo.

On the following morning, 23rd February, two letters were brought in from the King of Burma's Cotton Agent at Manwyne, addressed to a Burmese official attached to Colonel Browne. The first letter stated that Mr. Margary had arrived in Manwyne on the 20th February, and that on the 21st he and five Chinese with him had been killed by the Chinese. It added that the writers were themselves in great fear, as the Chinese officials suspected them.

The second letter stated that three Chinese officers, whose names are given, and who had been sent to Manwyne by the Momein authorities, had desired the writers to impress on the Burmese addressed that on the 23rd February he must separate himself from the English Ka-las whom he was escorting; that he must either leave them and go back, or stay in some place a mile or two apart. If he did not, and came to be wounded or killed, he was not to blame the Chinese. If the Ka-las followed him he was not to give them shelter. The attack would be made on the night of the 23rd. From 3,000 to 4,000 men were collecting and surrounding the party.

These letters, be it observed, were not intended for the eye of a foreigner. They were written in the Burmese language, by Burmese officials, to a Burmese official, who did not desire to show them to Colonel Browne. He, however, requested a sight of them, and being a competent Burmese scholar, when he had read them he caused copies of them to be taken. I append Chinese translations of these two letters.

It was now evident that the Mission had not been expected to arrive so soon in the neighbourhood of Tsarai, and that its appearance there on the 19th, and Mr. Margary's advance to Manwyne, had precipitated the attack of the Chinese force.

The messenger who brought the letters further stated that a force of Chinese and Kakhyens was even then on its way to the fourth guard-house on the Burmese side of the Nam-hpoung, to cut off the Mission. The Mission pushed on consequently to the ground in question, and learning there that Kakhyen scouts had been seen reconnoitring the neighbourhood, continued their march until they reached the second guard-house, where they halted for the night.

Colonel Browne, still reluctant to believe that Mr. Margary and those with him had perished, did his best to induce some one to obtain information from Manwyne, but neither friendly Kakhyens nor Burmese could be persuaded to make the attempt. All the roads, they said, were carefully watched by Chinese troops. Colonel Browne was especially anxious about Li, the reputed relative of Li Hsieh-t'ai; and, in the opinion of some of the friendly Kakhyens, this man might have been protected by the Tsarai Chief in consideration of his relationship to Li Hsieh-t'ai, but this, they said, was not certain, because Li Hsieh-t'ai had given orders that if anyone, even his own son, was found siding with rebels or Ka-las, he was to be killed.

Colonel Browne therefore proceeded on his way to Bhamo, passing through various villages in which Chinese traders reside. On his way up these men had shown themselves civil enough. There was now a marked change in their demeanour. He made the same observation in Bhamo, which place he at last reached on the 26th February.

Here he remained for some days, vainly hoping for information, but receiving none of consequence, except the report brought in by certain Kakhyens that Yang-ta-jên, the Chinese official at Manwyne, before spoken of, had punished the Chinese officers engaged against the mission on the 22nd for having allowed any one to escape. His orders had been positive that everyone connected with the expedition, European, Chinese, or Burmese, was to be killed.

The muleteers in charge of the baggage of the mission had decamped the moment the Chinese opened fire on the 22nd February, and the mission had given it up for lost. A small portion had, however, been recovered by the Burmese and brought into Bhamo

on the 26th, and on the 3rd March the Chief of friendly professions made his appearance with a good deal more. There were some articles of value missing, but on the whole less than was expected.

One of the Burmese sent into Manwyne with Mr. Margary on the 20th February escaped, and on rejoining Colonel Browne made a deposition, dated 25th February, copy of which I append. This, it will be seen, affirms that Mr. Margary and five Chinese were killed on the 21st February by Chinese officers, and that Chinese officers desired certain Burmese named to send to their countrymen to separate from the Ka-las; that he, the deponent, was sent on the 22nd with letters to the above effect; that on the road he met Li Shouk-goon, who told him that he was coming back from the fight between the English and the Chinese and Kakhyens.

It should be noted that this man gave the name of the Chinese who spoke to him at Manwyne.

I append also the deposition of another Burmese belonging to the King's Cotton Agency at Manwyne, who arrived at Bhamo on the 26th February, the same day as the mission.

Some days before Mr. Margary's arrival in Manwyne he had heard rumours of the collection of Chinese troops upon the hills. He saw Mr. Margary in Manwyne on the 21st February. Two Chinese officials, whose names he gives, came down from Momein with a force of from 3,000 to 4,000 men. He did not see this force, but heard the noise it made outside the town at night. He gives the details that had reached him of the death of Mr. Margary and his people, observing that they were wounded, not by local savages or Chinese, but by order of the Chinese officials who had come from Momein. Another Chinese official, the day after the fight, he states to have vowed vengeance against the Burmese for having taken part with the English in the affair of the 22nd. The Burmese, with the exception of a few, had therefore fled from Manwyne.

His deposition closes with a rumour of particular significance—to wit, that the heads of Mr. Margary and those killed with him had been taken up to Momein after having been exposed in Manwyne.

After a few days' rest at Bhamo, Colonel Browne passed on to Mandalay. He there found that on the 16th February the Resident, Captain Strover, had written to inform him of a report current in the Palace to the effect that a large body of Chinese was in readiness to oppose the mission's entrance into China. The Resident's letter had not reached him as he was on the line of march. Other information he obtained satisfied Colonel Browne that the preparations of the Momein officials, which so nearly proved fatal to him, had been perfectly well known in the capital of Burma for days before the attack on the 22nd February.

I have one word to add about Mr. Elias. Towards the end of May his servant, Wang Hsiu-shuang, a native of Han-yang, who had been originally one of Mr. Margary's suite, arrived in Shanghae. He told a somewhat rambling story, and, when cross-examined, contradicted himself a good deal. On one occasion, however, he stated with tolerable precision the route that he had followed after parting with his master, and he adhered throughout to one of his first statements, namely, that his safety along the frontier of Yunnan was due to the influence of Li Hsieh-t'ai. In his deposition, taken before the Consul at Hankow, he had spoken of a safe conduct, but this at Shanghae he explained to mean the card of the Hsieh-t'ai; that card which Li Hsieh-t'ai had sent to Mr. Elias in acknowledgment of his present on the 18th February at Maing-maw.

Whether Li Hsieh-t'ai was present with the troops who tried to cut off Colonel Browne below Manwyne on the 22nd February, there is nothing to show. On the 18th, as Mr. Elias records, Li was at Maing-maw; according to his own account, with 300 men. Manwyne is not a hundred miles from Maing-maw. He would have had time enough, therefore, to fall back on Manwyne after Mr. Ney Elias's departure. The troops who attacked, however, shouted out that their leader was Shouk-goon, the nephew of Li, and they would hardly have done this had Li himself been with them.

This closes what I have to say in the way of narrative. Mr. Mayers, the Chinese Secretary, is instructed to wait upon the Ministers of the Yamên to explain anything that may not be clear to their Excellencies.

The conclusions at which I arrive from the matter now before your Imperial Highness I shall have the honour to submit to your Imperial Highness in a separate despatch.

Inclosure 2 in No. 35.

Mr. Wade to the Prince of Kung.

Sir,

Tien-tsin, August 21, 1875.

IN continuation of my despatch of yesterday, I have the honour to submit to your Imperial Highness the following observations:—

That an act of treachery and violence was committed on the frontier of Yünnan last February cannot be disputed, and the first question to which Her Majesty's Government is looking for an answer is upon whom is the responsibility of the act to be laid?

It is impossible for the Government of China, Central or Provincial, to deny that it was aware of the approach of the mission from India. Not only was the seal of the Tsungli Yamên affixed to the passports under which Mr. Margary and the mission were to travel, but Mr. Margary carried with him letters to the Provincial Government through whose jurisdiction he had to pass, and at Yünnan-fu he found the Acting Governor-General Ts'ên already in receipt of letters from the Yamên in accordance with which, apparently, his Excellency, after treating him with great consideration at Yünnan-fu, caused him to be escorted as far as Yung Ch'âng. Before the mission left Bhamo, Mr. Margary wrote both to Li-hsieh-tai at Nantien and to the authorities at Momein to give notice of his return. ✱

In your Imperial Highness's despatch of the 31st July I am requested to remember that when the passports were applied for last year by Mr. Mayers, the Ministers of the Yamên referred in the course of conversation to the recent conclusion of the civil war in Yünnan, and warned Mr. Margary that the route could not be clear throughout. ✓

If the Ministers held this opinion, they could only have derived it from the reports of the Provincial Government. The Acting Governor-General Ts'ên would, in that case, have been as alive as they to the contingency of danger by the way, and even without instructions, surely, it would have been his duty, if he thought the country unsafe, to look to it that no harm befel the foreign mission within his jurisdiction. But if the Ministers of the Yamên entertained the apprehensions they expressed to Mr. Mayers last summer, it is to be assumed that in the letters from the Yamên that had reached the Acting Governor-General before Mr. Margary's arrival, he did receive instructions to assist and protect the mission. What else could have formed the subject of the Yamên's letters? ✓

And if he did receive instructions, how came he so imperfectly to respect them? Was his estimate of the insecurity of the route different from that of the Yamên as expressed to Mr. Mayers? Did he think the road safe? That the road is not at all times insecure is proved by the fact that in January, without any escort at all, Mr. Margary travelled unmolested from Momein to Manwync, and from Manwync with a Burmese escort through the country of the tribes to Bhamo; while scarce a month before, a Burmese Embassy, leaving Bhamo on the 15th December, had passed up by a parallel route to Momein. Mr. Margary was informed as he travelled southwards that some of the Burmese were but a little distance to his left, and they entered Momein shortly after he had left that city. The Embassy was bringing tribute to the Emperor of China. [If the tribes were tempted to attack Colonel Browne, as the Tsung-ping Yang and the Taotai Ch'ên affirm, by the sight of the things his party were carrying with them, why was their cupidity not equally excited by the far more valuable articles that must have been in charge of the tribute-bearers?] Either the road was not so insecure as the Ministers of the Yamên imagine, or the Governor-General had taken steps for the protection of the Burmese tribute bearers. If so, why was not equal care extended to the subjects of a Treaty Power entering China under passport? Was he alerted?

These questions, it must be admitted, are a natural rejoinder to the explanations tendered by the Tsung-ping Yang and the Taotai Ch'ên, namely, that the attack on Colonel Browne and the murder of Mr. Margary were the act of the hill tribes, tempted by the prospect of plunder.

With the facts communicated in my despatch of yesterday before me, your Imperial Highness will understand that it is quite impossible for me to attach the smallest credit to the report of these two officers. I cannot regard it as otherwise than as an aggravation of the atrocity for which my Government is demanding satisfaction. I must add that the transmission of so idle an explanation at this juncture is calculated seriously to impair any confidence that might have been felt in the good faith of the Chinese Government. Savages of the tribes under Chinese jurisdiction no doubt took part in the attack on Colonel Browne; but according to the evidence, oral or written, of persons some of them Chinese, some Burmese, some Chiefs or savages of the tribes, speaking or writing in different localities, widely apart, and without the possibility of a concerted design to ✓

mislead, Chinese authorities made preparations to waylay the British Mission on a particular day; Chinese authorities urged Burmese to warn Burmese to separate themselves from the Mission upon that day; and Chinese authorities, having caused Mr. Margary to be murdered in Manwyne, moved troops, who were recognized by Colonel Browne to be Chinese soldiers, to attack the Mission. These are the facts which I find to be substantiated by the testimony of the Chinese dealer at Bhamo a month before the attack; by the observation of Burmese to the Resident at Mandalay, 100 miles from the scene of action, six days before the attack; by the letters and depositions which came into Colonel Browne's possession immediately after the attack. It is noteworthy, also, that different witnesses agree on other points of special interest—as to the number of troops assembled, for instance; as to the names of the chief actors, Yang-ta-jân and the Hsieh-t'ai Li. Are we to set aside a series of statements so consistent, and to adopt in its place the story told by Yang-tsung-ping and Ch'ên Taotai?

I repeat that the transmission of such a report at this juncture is most unfortunate. Her Majesty's Government will call to mind that when first informed of this outrage the Minister of the Yamên declared the appointment of a special Commissioner to be out of the question; my application for passports to enable my own Agents to take part in the inquiry was resisted on the ground that the Treaty provisions regarding joint investigations was limited to cases at the open ports. When I threatened to break relations if I was refused them, I obtained the passports I demanded; but a fortnight later, on the 14th of April, your Imperial Highness addressed me a despatch in which I was requested to observe that their issue in this instance was a special concession, and was not to be referred to as a precedent. Meanwhile, although towards the end of April a high officer at Tientsin had shown (spoken to) Mr. Mayers (of) a letter received from an official in Yunnan referring to the attack on Colonel Browne, yet when Mr. Fraser sent some weeks later to the Yamên to ask for news, the Ministers could only tell him that two officers had been sent to the spot to make inquiries. All this time the murder is known even to the common people in Ssu Ch'ên and Huonan. It is the subject of placards and caricatures in the capital of the former province and in Yo-chow. In the latter a British missionary is taunted with it by the Prefect. At length, full three months after the date of my first communication, that of the 12th March, Li, Governor-General of Hu-kuang, is directed by Decree to proceed as a Special Commissioner to Yunnan. I send Mr. Grosvenor, the secretary, who had been designated to represent my Legation in the inquiry, to wait upon his Excellency Li, who informs him that he has no instructions from the Yamên about the attack on Colonel Browne; his sole concern is with the murder of Mr. Margary. His Excellency Li inspected Mr. Margary's passport last year, yet he throws doubt upon the validity of those now submitted to him by Mr. Grosvenor as documents issued by a foreign official, the seal upon which—the Yamên's seal—he observes is insufficiently clear. It manifestly became my duty not to send forward Mr. Grosvenor without some clearer understanding of the recognition of his office. I came north with him accordingly, and at Tientsin I received the two despatches of the 31st July now under acknowledgment, in which your Imperial Highness has acquainted me with the report of the officials Yang and Ch'ên. This is all that the Tsungli Yamên is enabled to communicate to me five months after the attack upon our Mission.

I presume that the Acting Governor-General Ts'ên intended this report to be believed, or he would not have ventured to make it the subject of a Memorial to the Throne, and I presume that your Imperial Highness intends that I should accept it as credible, or it would not have been embodied in a despatch to my address. Read with Mr. Grosvenor's account of his interview with the Governor-General Li but a few days before your Imperial Highness' despatch was written, it will not fail to provoke the gravest suspicions on the part of Her Majesty's Government.

This at least is the effect of the coincidence on myself. As soon as the Decree nominating the Governor-General Li appeared in the "Gazette," I telegraphed to the Earl of Derby that I thought there was a change for the better in the situation. When five days later your Imperial Highness formally communicated the Decree to me, I telegraphed again in confirmation of that opinion. But on Mr. Grosvenor's return from his visit to the Governor-General Li, I telegraphed that there appeared to me a change for the worse; and now having carefully considered your Imperial Highness' despatches of the 31st July, with other circumstances that it is not necessary for me here to enumerate, I have telegraphed once more to state that the Chinese Government, I am persuaded, is trifling with me, and that I have therefore detained Mr. Grosvenor. I have not the slightest apprehension that any harm will befall Mr. Grosvenor, but it is my duty to see that my Government is not befooled in a matter so serious.

I shall take the liberty of requesting your Imperial Highness to reperuse the long

and very earnest despatch which I had the honour to address your Imperial Highness on the 9th July, 1870, when I first learned that one of the unfortunate Sisters of Mercy massacred at Tientsin was a British subject. The Tientsin massacre, I urged, was but the natural outcome of a system of policy which leaves the people of China in ignorance of the claim of foreign nations to be regarded as their friends and equals, while it encourages hostility to the foreigner, if not by precept, yet continually by example. I insisted strongly upon the necessity, if China would avoid the danger, from misunderstandings with all nations united, to which adherence to her exclusivism exposed her, without loss of time to set about a revision of her ancient system. No attempt worth the name has been made to revise it, and not a year, nay, scarcely a month, passes by without some Legation having to complain of either the hostility, or the obstructiveness, or the indifference of one Chinese official or other. [The outrage in Yunnan surpasses in many particulars any on record in China.] Certain officials in the Momein jurisdiction have deliberately perpetrated an act of war upon a British Mission, whose security should have been assured by the passports I obtained for it from the Tsung-li Yamên, and under the direction of these same officials, the interpreter of the mission has been murdered. We require to know by whom and for what reason this act of war was done. Who were the instigators? Was the act due to the hostility or carelessness of the instructions sent by the Tsungli Yamên to the Acting Governor-General Ts'ên, or to the hostility or carelessness of the Acting Governor-General himself, or to the hostility of Yang-ta-jên whoever he may be? It is of the official authorities whose hostility or carelessness is responsible for the movement of troops from Momein to Manwyne, that satisfaction for the murder of Mr. Margary will be required, not of the miserable soldier or savage who was only obeying orders when he killed him.

But this satisfaction rendered, there will still remain to be dealt with the far larger question of security for the future. The fountain of these crimes has to be stopped. The Central Government has to declare boldly its condemnation of that hostility to the foreigner, which at present its officials make it a rule to exhibit, the consequences of which make themselves felt in outrages such as that of Tientsin and Yunnan. Simple protestations of its purpose hereafter to do this or that are of no avail. I have heard them reiterated any time these fifteen years, and if at such a crisis as the present I were to accept a profession of good intentions in lieu of acts that I could regard as really proving the intention of the Government to reform its foreign policy, I should be lending myself to the continuance of the vicious system I so condemn with the all but certainty that it would reproduce itself in some form of atrocity next year, next month, perhaps next week. I should then be met, as in June 1870, and in last March, with the usual assurance that the new atrocity had taken the Chinese Government quite by surprise, and this explanation would be held quite sufficient to excuse its usual dilatoriness of action until such time had elapsed as might secure the delinquent a mitigated penalty. The Yunnan affair is too grave an affair to be hushed up or compromised. The guilty must undoubtedly be punished, but the Chinese Government must look beyond this case to the establishment of relations with foreign Powers under such conditions as will more surely guarantee their duration unbroken.

My own further action in the matter must be regulated by the action your Imperial Highness may see fit to take.

I avail, &c.
(Signed) THOMAS FRANCIS WADE.

No. 36.

Mr. Wade to the Earl of Derby.—(Received October 25.)

My Lord,

Tien-tsin, August 26, 1875.

MR. MAYERS, the Chinese Secretary, having proceeded to Peking, in accordance with his instructions, waited on the Ministers of the Yamên, and was, on the 20th instant, specially invited to meet their Excellencies for the purpose of discussing the Memorandum of Propositions I had sent in to the Grand Secretary Li on the 11th instant, copy of which was inclosed in my previous despatch of this date.*

I inclose copy of Mr. Mayers' translation of the Yamên's memorandum, drawn up as a rejoinder to mine.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

* No. 34.

Inclosure in No. 36.

Memorandum from the Tsung-li Yamên in reply to Mr. Wade's Memorandum of August 11, addressed to the Grand Secretary, Li Hung-chang.

(Translation.)

1. RELATIONS of intercourse between foreign representatives at Peking and Chinese high officials at the capital.

On this subject it has to be observed that the treatment of all affairs connected with the international relations between China and foreign countries belongs exclusively to the Tsungli Yamên, in concert with the various foreign Representatives. It is of course right that the Ministers of the Yamên should hold intercourse with the Representatives of foreign Powers, but beyond this none of the high officers of the Chinese Government at Peking are charged with any responsibilities in connection with foreign affairs. Moreover, according to the rules (or precedents) heretofore established, Chinese functionaries should not hold intercourse with foreigners, and it consequently behoves them not to be in relations with the foreign Representatives at Peking. Now, in the present instance, Mr. Wade having declared that [what he proposes is] in no wise for purposes of business, but in evidence of friendly feeling, the clause above referred to shall be discussed with a view to a satisfactory result on Mr. Wade's return to Peking.

2. Effect to be given to the Treaty as regards trade at the ports and in the interior.

The wording of the XXVIIIth Article of the Treaty, the 7th Article of the Supplementary Rules, and of the various Regulations bearing on the subject of trade with the interior of China, is of such a nature as to elucidate each the other's meaning. Uniform compliance with the provisos therein contained should be enjoined at every port. [The proposal contained in] this paragraph can, as a matter of course, be carried into effect. On Mr. Wade's return to Peking, however, discussion must be held, with a view to a satisfactory solution as to the further question in relation to the present order of proceeding on the part of the Chinese Government how the most advantageous course is to be adopted [*lit.*, how detriment is to be guarded against and benefits secured] to the greater advantage of mercantile interests and the public revenue.

3. Question of escort for Mr. Grosvenor in Yünnan.

Mr. Grosvenor is the officer who proceeds to Yünnan to be present at the trial, for whom the Yamên has already given a passport, and a delegate has been appointed by the Superintendent of the northern ports to accompany him on his journey. Mr. Wade now demands that an escort be provided to ensure his safety. This paragraph can of course be complied with. The Yamên will [*lit.*, it will be the duty of the Yamên to] give notice to the Government of Yünnan to detail an escort on Mr. Grosvenor's arrival in the Province, to escort him from point to point and protect him so that no danger may befall him.

4. Escort for future mission from India.

It will be necessary that officers from India about to enter Yünnan from the side of Burma should, before commencing their journey, give notice to the frontier officers in Yünnan of the time at which they may arrive at a certain specified point, as well as of the numbers of the party and their attendants. The frontier officers will certainly afford them the most active protection. Mr. Wade will, it is hoped, communicate the above remarks to the Viceroy of India, and the Yamên will write in emphatic terms to the Government of Yünnan to provide an escort at such time as may be necessary, in order to secure the most perfectly satisfactory results.

5. Mr. Wade's report of [the Yünnan outrage] should be immediately laid before the Throne and a decree should be issued, &c.

In reply it has to be observed that it is the practice in China, in cases where Commissions of Inquiry are held relating to occurrences in the Provinces, that not until report has been made to the Throne announcing the completion of the inquiry is a Decree publicly promulgated, and the memorial reporting the particulars of the inquiry issued for publication. In cases where Decrees are issued before the case is concluded, they are communicated [through the Grand Council], and neither they nor the memorials on which they are based are published. In the present case the fact is that the Governor-General and Governor of Yünnan were commanded by Decree to investigate and deal with the matter. At a later stage, owing to a length of time having elapsed without any results being shown, the Governor-General Li was appointed to proceed to the spot and investigate and deal with the case. Whether or no the Government of Yünnan have been dilatory in their action it will be at the same time for the Governor-General

Li to ascertain, and to take action accordingly. The Yamên now proposes, on the one hand, to memorialise for a Decree commanding the Governor-General and Governor of Yünnan to use all promptitude in ascertaining and reporting on the real facts of the case, and forbidding any more delay on their part, and, on the other hand, to request, at the same time, that the Governor-General Li be commanded to proceed with all despatch to his destination in Yünnan, to the end that the case may be speedily brought to a conclusion.

6. That an Envoy be sent to England, and that he should diverge from his route to visit Calcutta.

The intention that Envoys should be sent from China to foreign countries has already for some time past been entertained, but, no suitable persons being forthcoming for the moment, it has not been possible to carry it into immediate execution. With reference, now, to the occurrence which has taken place in Yünnan, an officer can, as a preliminary step, be sent to England for the sole purpose of cementing friendly relations, and of declaring that what has taken place in Yünnan was an occurrence unforeseen by the Central Government (or Sovereign). The officer sent on a mission, however, as bearer of a missive of greeting to Her Majesty the Queen of England from His Majesty the Emperor of China, would be bound to proceed straight to England, and deliver his letter in person, in token of due respect. Moreover, any arrangements that might be undertaken, with reference to frontier trade with Yünnan, are beyond the scope of the provisions of the Treaty relating to the ports on the coast. The local circumstances must be examined before negotiations can be entered into. This is not a subject upon which an officer sent abroad as Envoy could be sufficiently well-informed. It will be necessary to wait until the Yünnan affair has been disposed of, and the local circumstances thoroughly examined, whereupon [the question can be] deliberated upon with a view to satisfactory results.

7. Publication of the Decree appointing an Envoy to proceed to England.

The question as to the appointment of an Envoy has been explicitly dealt with in the preceding paragraph. It must, however, be added that it is not open to the servants of His Majesty the Emperor to make suggestions regarding his Decrees. On the Decree appointing an officer having been received the Yamên will forward a copy, reverently made, for the information of Mr. Wade.

August 22, 1875.

No. 37.

Mr. Wade to the Earl of Derby.—(Received October 25.)

My Lord,

Tien-tsin, August 27, 1875.

IN my note of the 21st instant to the Prince of Kung, copy of which was inclosed in my despatch of the 26th instant, I have told his Imperial Highness that I could not allow Her Majesty's Government to be "befooled."

As a rule, I carefully abstain from the use of words that I should not employ in correspondence with the officers of a civilized Government. In the present instance I have a reason for my phrase. The Chinese are in the habit of appealing to my known sympathy with the difficulties of the Government, my interest in China, &c. The word that is chosen to translate "befooled" in my despatch, taken with the text, will recall to the Chinese reader an answer given by Confucius to the question of one of his disciples who asked whether the benevolent man was pledged, if he heard that some one was drowning in a well, to jump in to save him. "Certainly not," said Confucius; "the good man may be taken in, but must not allow himself to be 'befooled.'"

I have, &c.

(Signed) THOMAS FRANCIS WADE.

No. 38.

Mr. Wade to the Earl of Derby.—(Received October 25.)

(Extract.)

Tien-tsin, August 27, 1875.

I SHOULD have mentioned that the Grand Secretary Li called on me on the 23rd instant, a few hours after I had received a newspaper telegram reporting the Queen's Speech.

I drew his Excellency's attention specially to the paragraph in which Her Majesty referred to the Yünnan outrage, and, at my suggestion, the Singapore interpreter took a copy of the passage.

No. 39.

The Earl of Derby to Mr. Wade.

Sir,

Foreign Office, October 30, 1875.

I HAVE received your despatch, of the 26th of August, together with its inclosures, and in conveying to you my approval of the written statement submitted by you to the Grand Secretary Li, I have at the same time to request you to convey to Mr. Grosvenor my approval of the manner in which he carried out your instructions on the occasion of the visit paid by him to that official at your desire.

I am, &c.
(Signed) DERBY.

No. 40.

The Earl of Derby to Mr. Wade.

Sir,

Foreign Office, November 6, 1875.

I HAVE received and laid before the Queen your despatch of the 26th of August, and I have to convey to you the approval of Her Majesty's Government of the two notes addressed by you to the Prince of Kung on the subject of the Yünnan outrage, copies of which are inclosed in your above-mentioned despatch.

I am, &c.
(Signed) DERBY.

No. 41.

Mr. Wade to the Earl of Derby.—(Received November 8.)

(Telegraphic.)

Shanghai, November 8, 1875.

GROSVENOR Mission left Hankow 5th instant. All well.

No. 42.

Mr. Wade to the Earl of Derby.—(Received November 8.)

My Lord,

En route to Peking, September 9, 1875.

AS I earlier reported, Mr. Mayers left Tien-tsin for Peking on the 10th August, to present certain despatches in person to the Ministers of the Tsung-li Yamên, and to furnish their Excellencies with whatever explanations they might require.

Mr. Mayers' reports of his interviews with the Chinese Ministers have already been forwarded to your Lordship.

The despatches he carried with him were four. The first embodied the reply I had received from your Lordship approving my correspondence of March last, on the subject of the Yünnan outrage, and instructing me to insist upon reparation. The second inclosed a Memorandum of various matters of complaint for which redress had been required in the last few months. The third complained of the unsatisfactory conduct of the Governor-General Li Han-ch'ang, when Mr. Grosvenor was sent up the river to wait upon him. The fourth complained of the delay in obtaining satisfaction for an attack upon some of our Student Interpreters when they were visiting a temple on the Po Hua Shan, a well-known hill some miles west of Peking, a few weeks ago.

The last case is still to be closed. I inclose translations of the Prince of Kung's replies upon the subjects of the first and third.

The transmission of these translations has been unavoidably delayed. Mr. Mayers' reports from Peking will have shown how fully his time was occupied during his stay there.

I recalled him to Tien-tsin on the 30th August.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 42.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, August 22, 1875.

THE Prince received on the 16th instant the British Minister's despatch of the 12th July, referring to the correspondence that has earlier passed between himself and the Prince on the subject of the Yünnan outrage, stating that on the 23rd of June the Earl of Derby had telegraphed instructions to the effect that the British Minister's conduct of this affair was entirely approved; and adding that the communication was about to be forwarded by the hand of the Chinese Secretary, Mr. Mayers.

With reference to the remark which the British Minister's despatch contains, to the effect that "the method of conducting public business in England differs materially from that in use in China," the Prince would observe that the constitutional systems and the ordinances of Government prevailing in different countries do, indeed, vary one from the other, and are not susceptible of constrained uniformity; but yet, in the midst of their diversity, corresponding features are, nevertheless, seen to exist. Thus, for instance, in connection with the British Minister's remarks upon the manner in which the despatches of the Provincial Governors and other high officers are addressed directly to the Sovereign (the entire passage, down to the words "the decision of Her Majesty's Government" is here quoted from Mr. Wade's despatch), the Prince would observe that whenever the high Provincial authorities or the Metropolitan Boards and other Departments, including the Tsung-li Yamên, have matters to be laid before His Majesty the Emperor, a memorial is addressed to the Throne in the name either of one individual or of several individuals jointly, or in some cases of different departments acting in concert, whereupon, on the same day, [on ?] a rescript being issued assenting to the propositions advanced, if the documents are not such as require to be issued for publication, the department concerned transmits a copy of the Imperial Decree, together with the memorial on which it is based, to the proper quarter, for reverent compliance with its commands. This is analogous to the method of procedure which is followed in England.

The British Minister further remarks that, "strictly speaking, whenever the words 'British Government,' or 'my Government,' occur in correspondence, they should be translated by words requiring an elevation *à la Chinoise* above the column. But although careful to observe forms of this kind when speaking of the Chinese or any other foreign Government, he does not think it necessary to be equally punctilious when speaking of his own." With reference to this point it remains to be observed that in their communications addressed to departments of equal rank in Peking or the Provinces, the Tsung-li Yamên, when referring to chiefs of any department, in all cases give due elevation to the characters employed, as a sign of proper respect. Still more careful are they in connection with their relations, so important in their nature, with the representatives of foreign Powers, to cherish at all times sentiments of respect.

It would be altogether foreign to their wishes, in any particular where the elevation of characters is needful, to entertain the slightest trace of disrespect in the transcribing of correspondence. Whenever the words "British Government" and "Chinese Government" occur in communications addressed to the British Minister, the former only are elevated, and the words "Chinese Government" are left undistinguished. As a general conclusion, it may be added that respect consists in the sentiments which are had at heart, and does not merely lie in the actual form and manner of words and writing. The system of procedure respectively followed by the Chinese and foreign nations cannot but have their points of difference; but the intention of respect is, in fact, one and the same.

In the relations which mutually subsist, the proper course is to feel confidence on either side in the points where both agree, and likewise to admit no suspicious feelings where diversity is shown. The British Minister's high intelligence will, doubtless, lead him to this conclusion. His statement contained in the despatch now under acknowledgment

ment that the Earl of Derby's intimation conveys the decision of Her Majesty's Ministers, after perusal of the correspondence submitted to the Queen, is respectfully noted by the Prince.

This communication is accordingly forwarded in reply.
Kuang Sü, 1st year, 7th moon, 22nd day.

Inclosure 2 in No. 42.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, August 22, 1875.

THE Prince received on the 16th instant the British Minister's despatch of the 16th July, stating that he had despatched Mr. Grosvenor and his interpreter, Mr. Baber, to Hankow, to wait upon the Governor-General Li, &c., &c., (a full résumé of the despatch here quoted).

With reference to these observations the Prince has to remark that the murder of Mr. Margary grew directly out of the fact that he had gone to meet Colonel Browne and accompany him from Burmah to Yünnan. In this affair, the investigation and action to be instituted must undoubtedly extend to all the circumstances that bear upon it. When the Governor-General Li saw Mr. Grosvenor, he was not yet in receipt of the documents of which copies have been forwarded to him by the Tsung-li Yamên, and for this reason it was that he did not possess a full knowledge of the details. As regards the remark which he is reported by the British Minister to have made respecting the passports, it has to be observed in reply that according to the usage hitherto prevailing, passports issued to any officers should be drawn up in conformity with Article IX of the Treaty, and with the precedents followed during a series of years past. The passports now in question were given by the Yamên as a concession beyond the limit of what is strictly right, in consideration of the relations of peace and amity so long prevailing. It was because the Governor-General Li noticed the present passports to be unusual in their form, and because the Yamên, moreover, had not communicated a copy of the documents to him at the time of their issue, that he was ignorant of the particulars concerning them, and it is not at all the case that he doubted their validity.

The remark made in the despatch of the 31st July to the British Minister, to the effect that the character of the people of Yünnan is aggressive and violent, coupled with the hope that the British officers composing the Mission would in no wise seek to insist upon proceeding to points to which direct access might be impracticable, was actually inspired by an earnest regard for friendly relations, and a more than ordinary desire to guard against danger. The Governor-General Li's reply that the duty of affording protection is incumbent upon the authorities of Yünnan, is a statement of the actual fact; and it will be the duty of the Yamên to write to the Governor-General and Governor of the Province, desiring them to provide efficient means of escort. The British Minister's observation, that on receipt of Mr. Grosvenor's report he considers the situation changed, seems to indicate doubts which are really not justified.

With reference to the remark that "the allegation found in the Prince's despatch of the 14th of April, and now brought forward again by the Governor-General Li, that the persons accompanying Colonel Browne were more numerous than the terms of the passports warranted," &c., and the request to be informed in what particular the passports are held to be irregular, the Tsung-li Yamên have to observe that, as the passports have been given and issued, it is a manifest duty that the holders should be afforded protection and guarded against harm. Thus the documents are, in the language used by the British Minister himself, valid and in order. Whenever at any future date British officers holding these passports shall undertake the journey from Yünnan to Burmah, orders shall certainly be given to the authorities on the spot to afford them active protection, enabling them to pass out of [Chinese] territory in peace and safety. As regards officers holding passports desiring to proceed from Burmah to Yünnan, it will be necessary that, before they commence their journey, they should give notice to the frontier authorities of Yünnan, particularising the time at which they intend to set out, the date at which they expect to arrive at a given point, and the number of attendants they have with them. This will be required to enable the Yünnan authorities to afford them protection on their passage across the border. The British Minister is requested to give due notice to this effect to the Government of India, and the Yamên will, for its part, write in positive terms to the Government of Yünnan, desiring that an escort be provided at the proper time, in order to ensure safe and satisfactory results.

The British Minister observes, in addition, that Her Majesty's Government will have difficulty in believing that, up to the end of June, the Government of Yünnan had made no report of what had taken place on the frontier. In reply, it has to be stated that no report has been made as yet by the Provincial Government as to the cause of the attack on Colonel Browne's Mission. On receipt of the British Minister's statement of the circumstances of this case, as reported to himself, and of the Memorial which will be laid before the Throne by the Governor-General Li, setting forth the facts elicited by his inquiry, a further communication will be made.

The present reply is now forwarded for the information of the British Minister.
Kwang Sü, 1st year, 7th moon, 22nd day.

No. 43.

Mr. Wade to the Earl of Derby.—(Received November 8.)

(Extract.)

En route to Peking, September 9, 1875.

IN continuation of my despatch of this date, I have the honour to state that I had made arrangements to leave Tien-tsin for Peking on the 30th August, and had in consequence sent in the forenoon of that day to inform their Excellencies Li and Ting that I should call on them towards evening. Both mandarins urged me to stay some days longer; and on my inquiring the reason of this change in their counsels, they produced copy of a decree instructing them to confer with me on "the Margary affair," as I was "here at hand," with a view to satisfactory adjustment.

I made some remarks, as before, upon my inability to regard as responsible any department but the Tsung-li Yamên in the administration of Foreign Affairs, but declared my readiness at all times to converse on affairs with officers of the known capacity of their Excellencies.

Hereupon we had a long conversation, the most interesting item of which was the Grand Secretary's assurance that an envoy had been appointed to proceed to England.

Nothing fell from me that the Grand Secretary had not heard from me before, and I might say the same on the other side, but for the strong asseveration that Kuo Sung-t'ao, the newly-named envoy, had been chosen for his known pro-foreign tendencies. His Excellency Li also stated that, though he had not got a copy of the decree, a decree had to his knowledge been issued, sharply censuring Ts'ên, the Acting Governor-General in Yünnan, for his dilatoriness in reporting progress and the imperfectness of his Report.

Mr. Grosvenor, whom I had sent over to Chefoo to meet Admiral Ryder, had returned in Her Majesty's ship "Kestrel," and as the "Dwarf" was to be relieved, and would immediately proceed to Chefoo, I resolved to pay the Admiral a visit. The Grand Secretary had hinted that a few days must elapse before he could hear further from Peking.

I called on him as I had promised next morning, the 30th August, at eight, and we went over much old ground with little addition. The same evening I sailed in the "Dwarf" for Chefoo.

I inclose copy of my note to the Prince of Kung, touching the Decree giving powers to their Excellencies Li and Ting, and translation of his Imperial Highness' reply, which I found on my return from Chefoo on the 2nd instant.

Mr. Grosvenor was instructed to wait upon the Grand Secretary the day after my departure to impress upon his Excellency that if an Envoy were sent to England, it would be essential that he should be the bearer of a letter expressive of the regret of the Chinese Government at what had happened in Yünnan; otherwise it would be doubtful whether his mission would be viewed with favour.

Inclosure 1 in No. 43.

Mr. Wade to the Prince of Kung.

Sir,

Tien-tsin, August 30, 1875.

HAVING made arrangements for my return to Peking, I went last evening to take leave of the Grand Secretary Li and his colleague, the Assistant-Commissioner Ting. Their Excellencies placed in my hands copy of an Imperial Decree, directing them to confer with me, as I was within easy distance, regarding the case of Mr. Margary, with a view to its satisfactory settlement.

I repeated to their Excellencies what I have before taken occasion to state to them, that, without the smallest intention to act otherwise than respectfully towards them, I am compelled, whether in conference or correspondence, to look to the Tsungli Yamên as the Department invested by the Emperor of China with the charge of administering Foreign Affairs; that the affair to which the Decree refers as the murder of Mr. Margary, fearful atrocity as it was, is not, as between the Governments of England and China, so grave a cause of quarrel as the attack by Chinese troops upon a party of British officials provided with passports, of which, in reality, the murder is but an incident; lastly, that this attack, although the punishment of those who directed it is an indispensable condition, is not, taken *per se*, so grave a matter as the vicious system of foreign policy for many years adhered to by the Chinese Government, of which the present misunderstanding is but one of the natural consequences. Any adjustment of what is termed the Margary case, therefore, to be satisfactory, I have argued, must include a readjustment of foreign relations on the base already indicated to the Tsungli Yamên in March last, and again to the Grand Secretary Li himself in my Memorandum of the 11th instant.

I explained to the Grand Secretary Li and his colleague, that as the Decree referred to affected a foreign question, I could not doubt, I said, that it would be communicated to me by your Imperial Highness, and, I added, that I could certainly have no objection to discuss, preliminarily, the questions requiring solution with Ministers of the ability of their Excellencies Li and Ting. I have, in effect, had a conference with their Excellencies this morning, a report of which, I presume, will be submitted to your Imperial Highness.

Mr. Grosvenor having come back last night from Chefoo, to which port he had gone to meet Admiral Ryder, who is just arrived there, I decided that I would myself go across to pay his Excellency a visit. I shall be absent but a few days, and, on my return to Tien-tsin, I shall have the honour of again addressing your Imperial Highness.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 43.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, September 2, 1875.

THE Prince has to inform Her Majesty's Minister that, on the 28th ultimo, an Imperial Decree was received to the following effect:—

“Let Li Hung-chang and Ting Jih-ch'ang negotiate respecting the Margary affair with the British Minister, Mr. Wade, at Tien-tsin, as he is on the spot, with a view to satisfactory results.”

The foregoing copy, reverently made, is communicated for the information of the British Minister.

No. 44.

Mr. Wade to the Earl of Derby.—(Received November 8.)

(Extract.)

En route to Peking, September 9, 1875.

I HAVE the honour to inclose copies or translations of various notes that have passed between the Prince of Kung and myself with reference to the Yünnan question since the 27th August.

On that date the Prince wrote to inform me of the departure of the Governor-General, Li Han-ch'ang, for Yünnan. I had already heard of this from Mr. Alabaster.

On the 29th August, His Imperial Highness communicated to me the Decree to which I have earlier referred as censuring the Acting Governor-General Ts'ên Yü-ying. Appended to the note in which the Decree is embodied is the Memorial of the Yamên, based upon my notes of the 20th and 21st August. I am trying to get these papers (the Decree and the Memorial) both published in the “Gazette.”

On the 3rd September the Prince acknowledged receipt of my despatches of the 20th and 21st August; the first being a narrative of what happened on the Yünnan frontier in February, the second a commentary on the first.

I inclose copy of my reply, in which, for the present, I limit myself to a request that I may be supplied with copies of the papers forwarded to the Government of Yünnan.

regarding Mr. Margary's mission. They would commit the Central Government to a disavowal of the Acting Governor-General's conduct, which might be useful.

Inclosure 1 in No. 44.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, August 27, 1875.

WITH reference to the Imperial Decree, dated the 19th of June last, directing Li Han-ch'ang to proceed with despatch to Yünnan to institute an inquiry, which the Prince has already communicated to the British Minister, he has to state that on the 24th instant a Memorial was received from the Governor-General of Hu Kwang, reporting that he had fixed the 18th instant as the date of his departure for Yünnan. This is accordingly communicated for the information of the British Minister.

Kwang-Sü, 1st year, 7th moon, 27th day.

Inclosure 2 in No. 44.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, August 29, 1875.

THE Yamên of Foreign Affairs having addressed a Memorial to the Throne on the 28th instant, requesting that injunctions be issued, calling upon Li Han-ch'ang to expedite his movements, and to proceed with all despatch to Yünnan to investigate the Margary case, the following Decree was issued on the same day:—

“We have perused and fully acquainted ourselves with the contents of the Tsungli Yamên's Memorial, requesting that Li Han-ch'ang be commanded to hasten forward to Yünnan to institute his inquiry. The circumstances attending the murder of the British official Interpreter Margary, which took place in the first moon of this year, are grave in the extreme; and it was the duty of Ts'ên Yü-ying, in his capacity as head of the Provincial Government, to make a prompt investigation into the minutest details of the occurrence, in fulfilment of the demands of justice. That, on the contrary, six months should have elapsed without his having proved able to make effectual inquiry, and to report the result to the Throne, is assuredly a serious dereliction of duty.* As regards Li Han-ch'ang, he has not set out on his journey until the 18th of this month. Let him hasten forward to Yünnan with all despatch, and institute a searching and thorough inquiry into the actual circumstances of this case. Let him at the same time investigate minutely the obstruction of [the mission of Colonel] Browne. He is to report forthwith, for our information, the truth he elicits, and he is at the same time to devise the measures needful to be taken, in a satisfactory manner and without delay. If Li-Han-ch'ang, and the others concerned, indulge in any further dilatoriness, or allow their conduct to partake in the slightest degree of an attempt at evasion [let it be asked] whether they are capable of facing the consequences of so grave an offence.”

The foregoing having been reverently received, is communicated, together with a copy of the original Memorial, for the information of the British Minister.

Kwang-Sü, 1st year, 7th moon, 29th day.

Inclosure 3 in No. 44.

Memorial from the Tsung-li Yamên with reference to the Yünnan Affair, August 28, 1875.

THE Tsungli Yamên memorializes, requesting, with reference to the murder of Ma-kia-li (Mr. Margary), on the Yünnan frontier, that commands be laid upon the Governor-General of Hu-Kwang, Li Han-ch'ang, to proceed with all despatch to Yünnan, and fulfil his mission of inquiry.

Your servants have already laid a Memorial before the Throne, setting forth the particulars they had in their possession concerning the murder of Ma-kia-li, which took place on the Yünnan frontier in the first moon of this year, in reply to which a Decree was received to the following effect:—

* Literally, non-fulfilment, or lack of completion, of the *corpus rerum*, the matter in hand. This phrase is commonly used to convey censure for an aggravated shortcoming in official matters.

"The Yamèn of Foreign Affairs memorializes, stating that a British Consular Interpreter has been murdered in Yünnan, and requesting that injunctions be issued for inquiry and action. The memorial states in the course of the first moon of the present year (February, 1875) the British interpreter, Margary, and his party were proceeding from Burma into Yünnan, when, at a town 50 li (17 miles) south-west from the seat of Government of Shan principality of Sanda, subject to the prefecture of Yung-ch'ang, they were attacked by troops in the service of Government, and (Mr. Margary) was murdered. Let Ts'ên Yü-ying institute effective inquiry and action in this case. We likewise ordain that Lui Yo-chao do with all promptitude betake himself to his post and co-operate with the Government in selecting officials of intelligence and ability to deal with the matter as justice requires. Let there be not the slightest approach to trifling (or ambiguity) in the matter."

Subsequently to the foregoing, there was further received on the 16th of the 5th moon (June 19) a decree, commanding Li Han-ch'ang to proceed to Yünnan to carry out an inquiry; and copies of the mandates received have been reverently forwarded by the Yamèn to Li Han-ch'ang and to the Governor-General and Governor of Yünnan for their information and guidance.

It should be observed that in all cases of the taking of life occurring in China, it is a bounden duty that the murderer be discovered, that accurate and veracious depositions and testimony be taken, and that sentence be pronounced within the proper limit of time. Still more requisite is it that in cases connected with foreign relations prompt and efficient action should be taken. Moreover, peace and friendship having subsisted for many years between the two countries, and the circumstances of the murder which took place at the beginning of this year being of so very grave a nature, it is an obvious duty that the most minute particulars of this case should be authentically elicited by inquiry, in fulfilment of the demands of justice. Although Ts'ên Yü-ying has memorialised reporting that the witnesses whom it is necessary to examine in reference to this case have already been brought up from T'êng-yüeh to the provincial capital, to await the trial (*lit.*, confronting or examination in presence of other parties or witnesses), yet that six months should have elapsed without his having accurately established by inquiry the real facts of the case and reported them to the Throne is assuredly a serious dereliction of duty. As regards Li Han-ch'ang, he has but just reported his intention to set out on the 18th of this month from the provincial capital of Hupeh on his way to Yünnan; and (the Yamèn) feel bound to request a rescript commanding him to proceed with all despatch to the Province, to co-operate with the Governor-General and the Governor in investigating and dealing with the actual circumstances of this case severally (as they may be found to exist), and to lay an accurate report of the same before the Throne, forbidding at the same time any further indulgence in dilatory conduct.

This memorial, entreating that a decree be issued enjoining speedy action for accurate inquiry and satisfactory action with reference to the murder of Ma-kia-li, it is the duty of the Yamèn to submit with reverence for the sacred glance of their Majesties the Empresses and of His Majesty the Emperor.

Inclosure 4 in No. 44.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, September 3, 1875.

THE Prince has to acknowledge the receipt, on the 26th ultimo, of the British Minister's despatch of August 20, setting forth the particulars connected with the murder of Mr. Margary in Yünnan, as ascertained by him, which was delivered to the Tsung-li Yamèn, with explanations by the Chinese Secretary, Mr. Mayers, and on the 28th ultimo of a further despatch, dated the 21st August, commenting upon the various propositions which have been made on either side in respect of this case, and stating [in conclusion] that the action to be decided on by the Prince would be the guide of such further steps as the British Minister may find it necessary to take.

In reply, the Prince has to state that the two despatches now under acknowledgment have been submitted to the Throne, and at the same time communicated to the Governor-General Li [the High Commissioner now on his way to Yünnan], with instructions to make accurate and full examination of the particulars and evidence relating to the case, and to lay the facts elicited before the Throne. With reference to the remark further contained in the British Minister's despatch, to the effect that the Chinese Government must look beyond the case in question to an improvement in its foreign relations, the

Prince would observe that, as regards the steps necessary to be taken in connection with the case itself, such as the provision of escorts for the protection of Mr. Grosvenor in Yünnan, and also of a future expedition from India to Yünnan, a declaration has already been distinctly given in the reply sent on the 23rd August to the British Minister's Memorandum, stating the manner in which protection will be afforded. Furthermore, with reference to the two propositions for the nomination of an Envoy to England to cement (or re-establish) friendly relations, and the censuring of the Governor of Yünnan Imperial Decrees have already been received, copies of which, reverently made, have been communicated for the information of the British Minister. The two points additional to the treatment of the present case, as specified by the British Minister, namely, intercourse between the foreign Representatives at Peking and the high officers of the Chinese Government and full compliance with the Treaty stipulations in respect of commercial matters, must be discussed in personal conference with the British Minister and satisfactorily arranged, as has already been distinctly stated in the Memorandum delivered to him in reply.

As regards the measures which it is necessary to take, either in connection with the particular case now pending or with matters additional to this case, the Prince is in no respect unwilling to join the British Minister in consultation, with a view to satisfactory results, and in arranging the action which should be taken, in order to the consolidation of the friendly relations subsisting between the two countries. A Memorandum is appended containing replies to the various observations embodied in the British Minister's despatches under acknowledgment, of which he is requested to take note.

Inclosure 5 in No. 44.

Memorandum in reply to Observations in despatches of August 20 and 21, 1875.

1. *Observation.*—That confidence in the good faith of the Chinese Government must be impaired by the report presented by the two officials Yang and Ch'ên; and that the Prince must have intended their report to be believed or he would not have communicated it.

Reply.—The Yamên wrote on the 31st July to the British Minister informing him of the Memorial lately received from the Governor of Yünnan, to state that the two officials, Yang and Ch'ên, had reported the attack [on Colonel Browne and Mr. Margary] to have arisen from the cupidity of the savages when excited by the prospect of booty; to which it was added that, so soon as the Governor-General Li, on his arrival in Yünnan, should have instituted inquiry, conjointly with the Governor-General and the Governor, and laid the result before the Throne, a further communication would be made on the subject. As the Governor of Yünnan had memorialized, transmitting the report made by the two officials in question, and as the British Minister had written to inquire, it was a manifest duty to acquaint him with the particulars reported; but the Yamên was not in a position to judge as to the veracity of the report presented. It was stated, indeed, in the despatch that the Governor-General Li would make inquiry on his arrival in Yünnan, and report further to the Throne. It is plain, therefore, that the Yamên neither asserted the report to be true, nor wished the British Minister to accept it in that light. Had the statements forwarded by the two officials, Yang and Ch'ên, been actually considered to represent the truth, what need, it may be asked, would there have been for His Majesty to appoint the Governor-General Li to undertake a commission of inquiry; and why should it have been stated that his Excellency would investigate and report on the circumstances after reaching Yünnan? If the British Minister will apply this reasoning to the case, it will doubtless suffice to set his mind at rest.

2. *Observation.*—Respecting appointment of Imperial Commissioner, at first declared impossible, &c.

Reply.—When the Yünnan affair first became known, there being officers of the high rank of Governor-General and Governor in the province, it was obviously the proper course to call upon those officers to institute inquiry and action. It would have been precipitate to apply for an Imperial Commission of Inquiry. When, however, the report received from the Provincial Government was found to amount to no more than what was stated by the two officials, Yang and Ch'ên, the mandate of the Sovereign appointing the Governor-General Li to the mission of inquiry was forthwith issued. Although three months had meanwhile elapsed, yet, if the distance between Peking and Yünnan and the length of time required for the passage of correspondence to and fro be considered, the action taken can scarcely be called dilatory.

3. *Observation.*—That the Governor-General Li professed ignorance of the attack on Colonel Browne, and doubted the validity of the passports issued, &c.

Reply.—The Governor-General Li having been appointed by Decree to proceed forthwith to Yünnan and undertake an inquiry, it follows that every particular requiring to be inquired into and dealt with in connection with the case referred to is embraced within the scope [of the inquiry]. The Governor-General Li, not being informed, on the receipt of the Imperial Decree, of all the details with reference to the case, it was the duty of the Yamên to forward to him copies of all the correspondence that had taken place in the matter; and it is possible that, at the time of Mr. Grosvenor's visit, his Excellency had not yet received the Yamên's communication. As far as the passports are concerned, they were drawn up and stamped in a manner seldom seen in the provinces. The Yamên have now communicated to the Governor-General Li the Imperial Decree issued in reply to their Memorial of the 28th ultimo, requesting that he be directed to hasten forward with all despatch to Yünnan, and there can be no doubt that he will take action in full obedience to the commands issued. If the British Minister will compare the reply above given with that tendered in the preceding paragraph, and bring them to the notice of his Government, there can be little doubt that any suspicions entertained will be dispelled.

4. *Observation.*—That what has to be ascertained is whether the act of war committed in Yünnan was due to carelessness in the instructions issued by the Yamên, &c.

Reply.—Since the issue of a passport last summer to Mr. Margary, for his journey to Yünnan, the Yamên have communicated every Decree issued to them, all despatches and notes received from the British Minister, and all memorials, despatches, and notes, emanating from the Yamên themselves, without the slightest exception, to the Governor-General and Governor of Yünnan. No want of care can in any degree be attributed [to the Yamên].

5. *Observation.*—Respecting telegrams to England on the receipt of Mr. Grosvenor's account of his visit to the Governor-General Li, and the consequent detention of Mr. Grosvenor.

Reply.—On receipt of the British Minister's despatch in March last, stating that no proceedings could be looked upon as satisfactory unless a foreign official should be present at the trial about to be held, the Yamên put their seal on the passport [issued for this purpose], and sent it to the British Minister. They at the same time appointed Sung Pao-hwa as the official to act as escort [to the British Delegate]. The Governor-General Li having now reported that he was about to set out on his journey on the 18th August, as was notified to the British Minister by the Yamên on the 27th ultimo, the officers appointed to proceed to Yünnan, to be present at the trial, should also set out immediately, in order that the case may be brought to a speedy conclusion.

6. *Observation.*—That at such a crisis as the present the Chinese Government must publicly display an earnest intention to improve its foreign relations.

Reply.—The Chinese Government has been now for many years in friendly relations with the Government of Great Britain, and the present affair having come to pass in Yünnan, there is undoubtedly reason that it should publicly manifest its desire for peace and amity, in fulfilment of the duties of friendly relations. The Vice-President Kwoh Sung-tao and his colleague having now been imperially commissioned as Envoys Extraordinary to proceed on a mission to England, it may be hoped that the relations between the two countries will, for the future, be strengthened in their friendly character.

Inclosure 6 in No. 44.

Mr. Wade to the Prince of Kung.

Sir,

Tien-tsin, September 7, 1875.

I HAVE the honour to acknowledge the receipt of your Imperial Highness's communication of the 3rd instant.

There is much in it that will need some further discussion; but I purpose deferring this until my return to Peking.

I shall for the present confine myself to observing that as, according to the Memorandum appended to the despatch under acknowledgment, every paper relating to Mr. Margary's mission was forwarded to the Acting Governor-General of Yünnan, the neglect of duty both before and after the attack upon Colonel Browne's mission, with

which I have held myself justified in charging that high officer, seems to be sufficiently established.

I beg to add that the communication to me of the Imperial Decrees referred to by your Imperial Highness as having been transmitted by the Tsungli Yamên to the Acting Governor-General Ts'ên will, I cannot doubt, be viewed with satisfaction by Her Majesty's Government; and I have therefore to request that I may be supplied with copies of these documents.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 45.

Mr. Wade to the Earl of Derby.—(Received November 8.)

(Extract.)

En route to Peking, September 10, 1875.

I HAVE the honour to inclose copies of correspondence regarding the appointment of a Mission to England referred to in my despatches of yesterday.

In my reply, for the reasons I have elsewhere given, while I thank the Prince for the communication of this Decree, I request that nothing more be done in respect of this Mission until my return to Peking.

Inclosure 1 in No. 45.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, August 29, 1875.

THE Prince has to forward the following copy, reverently made, of an Imperial Decree received on the 28th instant :—

“Let the expectant Vice-President, Kwoh Sung-tao, and Hü K'ien-shên, an expectant Taotai on the staff of the Province of Chihli, fill* the posts of Envoys Extraordinary (*lit.* Imperial Commissioners) on a Mission to England. We confer, at the same time, upon Hü K'ien-shên the official button of the second rank.†

The foregoing, reverently received, is communicated for the information of the British Minister.

Kwang Sü, 1st year, 7th moon, 29th day.

Inclosure 2 in No. 45.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, August 29, 1875.

THE Prince has to forward the following copy, reverently made, of an Imperial Decree received on the 28th inst. :—

“Let the expectant Vice-President Kwoh-Sung-tao, and Hü-Kien-shên, an expectant Taoutae on the staff of the Province of Chihli, fill‡ the posts of Envoys Extrordinary (*lit.* Imperial Commissioners) on a mission to England. We confer at the same time upon Hü-K'ien-shên the official button of the second rank.”§

The foregoing, reverently received, is communicated for the information of the British Minister.

Kuang-Sü, 1st year, 7th month, 29th day.

(Signed) W. F. MAYERS, *Chinese Secretary.*

* The expression translated “fill” is one which is not customarily employed in Decrees of appointment, and never with reference to high or distinguished officers.

† As an officer of the rank of Taoutae, the button he wears is that of the 4th rank (first class).

‡ The expression translated “fill” is one which is not customarily employed in decrees of appointment, and never with reference to high or distinguished officers.

§ As an officer of the rank of Taoutae, the button he wears is that of the 4th rank (1st class).

Inclosure 3 in No. 45.

Mr. Wade to the Prince of Kung.

Sir,

Tien-tsin, September 4, 1875.

ON my return from Chefoo yesterday evening, I had the honour to receive your Imperial Highness's despatch of the 29th August, inclosing copy of a Decree reverently made, in which the expectant Vice-President, Kuo Sung-tao, and Hsü Ch'en-shên, an expectant Taoutae on the staff of the Province of Chihli, are commanded by the Emperor to proceed as His Majesty's Envoys to England.

I beg to thank your Imperial Highness for the communication of His Majesty's pleasure on this subject. I venture at the same time to request that no further action be taken in the matter before my return to Peking. I hope to be in Peking next week.

I renew, &c.

(Signed)

THOMAS FRANCIS WADE.

No. 46.

The Earl of Derby to Mr. Wade.

Sir,

Foreign Office, November 24, 1875.

I HAVE received, and laid before the Queen, your despatches of the 9th and 10th of September, respecting the further progress of negotiations with the Yamên in regard to the Yünnan affair; and I have to state to you that I approve your proceedings as reported in these despatches.

I am, &c.

(Signed)

DERBY.

No. 47.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, November 25, 1875.

I HAVE much satisfaction in acquainting you that the Queen has been graciously pleased to appoint you a Knight Commander of the Most Honourable Order of the Bath, in consideration of your diplomatic services in general, and especially for the energy and resource shown by you during the difficulties with the Chinese Government arising out of the Yünnan outrage.

I am, &c.

(Signed)

DERBY.

No. 48.

Consul Medhurst to the Earl of Derby.—(Received December 9.)

(Telegraphic.)

Shanghai, December 7, 1875, 4.10 P.M.

LETTERS from Mr. Grosvenor of 24th November. All well.

No. 49.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 20, 1875.

I HAVE the honour to inclose translation of a Decree issued on the 7th September, directing the Grand Secretary, Li Hung-chang, to charge himself with the formation of the mission to England, to the chief posts in which their Excellencies Kuo Sung-tao and Hsü Chien-shên had been earlier appointed by Decree. This had not been published. The letter, that of the 7th September, was published, and, as I believe, at the instance of the Grand Secretary Li, upon whom I had impressed the importance of the publication.

As I have before stated, I made it, at the same time, a condition that, in any Decree

published, no mention should be made of Her Majesty's Government or Her Representatives in a form to which objections might be taken.

Inclosure in No. 49.

Decree published in the "Peking Gazette" of September 7, 1875.

(Translation.)

LET the expectant Vice-President Kuo Sung-tao and the expectant Taotai Hsü K'ien-shên, of the staff of the Province of Chih Li, invested with the button of the second rank, having been appointed as Envoys Extraordinary on a mission to England, confer as may be needful with Li Hung-chang respecting the selection and appointment of the staff of officials and Chinese interpreters whom they shall take as their suite.

No. 50.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 20, 1875.

IN my despatch of the 9th September, I adverted to the appointment of their Excellencies the Grand Secretary Li and his colleague Ting, by Decree, to act as negotiators with me in the matter of the Yünnan outrage, as an incident which I had thought it my duty to request the Prince of Kung to explain. I have the honour to inclose translation of the Prince's reply.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 50.

The Prince of Kung to Mr. Wade.

(Translation.)

September 8, 1875.

ON the 4th instant the Prince received the British Minister's despatch, stating that their Excellencies Li and Ting had placed in his hands [copy of] an Imperial Decree directing "Li hung-chang and Ting Jih ch'ang to confer with Mr. Wade, the British Minister Resident in Peking, at Tien-tsin, he being within easy distance, regarding the case of Mr. Margary, with a view to its satisfactory settlement;" and that he had repeated to their Excellencies what he had before taken occasion to state to them.

The Prince would observe, in reply, that the object with which the Tsung-li Yamên was established was precisely for the conduct of the foreign relations of the Chinese Government, and the control of all affairs of this nature is naturally vested in the Yamên. Inasmuch, however, as in the case of Mr. Margary, a Decree has now been received directing their Excellencies Li and Ting to confer with Her Majesty's Minister, he being within easy distance, it will of course be in their power to take decision in certain particulars; whilst on such points as necessitate consultation with the Yamên, they will undoubtedly write to obtain the Yamên's opinion, with a view to their satisfactory settlement.

Their Excellencies Li and Ting have already communicated to the Yamên the various matters upon which the British Minister has spoken with them. He can without hesitation confer and take action with their Excellencies Li and Ting.

No. 51.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 20, 1875.

I MENTIONED that I had recommended the Prince of Kung to be in no hurry about despatching the mission. I am not sure that my despatch to the Prince has been sent to your Lordship. Should it not have been, the omission shall be immediately supplied. Meanwhile, I have the honour to forward translation of His Imperial Highness' reply.

Inclosure in No. 51.

The Prince of Kung to Mr. Wade.

(Translation.)

September 8, 1875.

ON the 5th instant the Prince received the British Minister's despatch, stating that on his return to Tien-tsin from Chefoo he had received His Highness' despatch of the 29th August, from which he learned, with deference, that His Highness was in receipt of an Imperial Decree, and tendering his thanks for the communication of His Imperial Majesty's pleasure on this subject. The British Minister ventured, however, at the same time to request that, as he proposed returning to Peking in a few days, any further action in the matter might be stayed for a short while.

The Prince has to observe that, in the case of Foreign Missions, the Envoys, after receipt of the Imperial Decree [conferring their appointment upon them], have to look to the selection of their suite, the preparation of their baggage, and various other necessary arrangements, which ten or twenty days will not suffice to complete. It is the duty, however, of Envoys who have been selected by His Majesty and entrusted with his commands, when their preparations are duly completed, to at once set forth in obedience to these commands, and they should not, without [good] cause, delay their departure for any length of time.

No. 52.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 20, 1875.

HAVING left Tien-tsin, as I have earlier reported, on the 8th September, I reached Peking upon the 12th. Mr. Mayers, the Chinese Secretary, had left me *en route* on the 10th, and arriving in Peking the same day, in accordance with my instructions, waited immediately on the Ministers of the Yamén.

Upon the 14th the Ministers Tung Hsün, Ch'unghow, and Ch'ênglin, came to pay me a visit, but not to speak of business. They would repeat any observations I might make to the Prince of Kung, but were unprovided with an answer to any one of the questions which had been left unsolved at Tien-tsin. A brief Memorandum of what passed is inclosed.

Inclosure in No. 52.

Memorandum of Visit from the Ministers of the Yamén.

September 14, 1875.

THE Ministers Tung, Ch'unghow, and Ch'ênglin, called to pay a complimentary visit to Mr. Wade on his return to Peking.

The Ministers had nothing to say with regard to any action on the points prescribed by Mr. Wade as indispensable in connection with the provisional settlement of the present case, and Mr. Wade expressed himself with some warmth upon this absence of any token of active attention to the subject, and signified to the Ministers the intention he had formed of leaving Peking on the 28th instant for Shanghai, to report under any circumstances to Her Majesty's Government by telegraph, either that matters have been satisfactorily arranged, or the reverse. In the latter case, he should remove the entire Legation to Shanghai, in order to leave the possible action of Her Majesty's Government unfettered. The Ministers could only reply that they would report to the Prince. It was arranged that Mr. Mayers should call upon the Ministers on the day after to-morrow.

No. 53.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 20, 1875.

THE Prince arrived alone at the time appointed on the 21st, but was presently followed by the Grand Secretary Paoyün, the Assistant Grand Secretary Shên Kuei-fên, and the Ministers Tung Hsün, Ch'unghow, and Hsia.

The Prince of Kung was, as always, most courteous, but he, on the arrival of two of the Yamên Clerks of Departments, took his leave, as he said, to avoid discussion. The Ministers remained, and without farther parley, produced a Memorandum in eight Articles, purporting to set forth the concessions that had been made by the Chinese Government. A copy of this paper was more formally communicated to me in a despatch the following day.

I myself called at the Yamên later in the afternoon, and again repeated that, unless some understanding were come to about the Ministerial question, I should not regard the guarantees I wanted complete, even if greater progress were made toward the solution of my commercial difficulty.

Inclosure in No. 53.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, September 22, 1875.

THE Prince received on the 8th instant the British Minister's despatch of the 17th, in which he states, with reference to the subject of the Yünnan outrage, and the larger question of which it forms a part, he feels compelled to report to his Government that he sees not the slightest manifestation of an intention to put forth a *bonâ fide* effort, and that he shall at once remove the Legation from Peking.

In reply to this communication, the Prince has to state that, with reference to the affair that has taken place in Yünnan, the Yamên of Foreign Affairs has repeatedly memorialized the Throne, and has received Decrees in reply, enjoining active proceedings upon the high authorities of that province. A Decree has further been received nominating the Governor-General Li as High Commissioner to conduct an inquiry. Again, in the course of last month, the Yamên solicited a Decree commanding the Governor-General Li to hasten with all despatch to Yünnan, in reply to which a Decree was received laying stringent commands upon the Governor-General and the other high functionaries concerned to take the steps that are requisite with all due promptitude. The Chinese Government can conscientiously affirm its belief that it has omitted no effort in its proceedings in this case.

With reference to the other questions to which the British Minister refers, as regards the provision of escorts for Mr. Grosvenor on his arrival in Yünnan, and for a future mission from the Government of India, an engagement to this effect has already been specified in the Memorandum of replies to the British Minister, dated the 22nd August. Again, as regards the fulfilment of the commercial stipulations of the Treaty at the ports and in the interior, the Ministers have agreed that, in conformity with the Treaty, the question shall be examined with a view to the removal of causes of complaint. The Ministers have also in personal conference agreed, with reference to the appointment of officers by the two Governments for the purpose of consultation with reference to the regulations for the frontier trade in Yünnan, that so soon as the case now engaging attention (*lit.* the actual or foremost case) shall have been wound up, this matter shall be entered upon (*lit.* made a subject of consultation and action). With regard to the proposal that an envoy should be sent to Great Britain, and should pass through India on his way [this has been carried into effect], with the exception of the visit *en route* to India, as has been stated in the Memorandum previously handed in, the Decree of the 28th August appointing envoys having been communicated to the British Minister in the Prince's despatch of the following day. In connection with the proposal that the Decree appointing the envoy should be published, a Decree issued for the information of the Ministers and subjects of China appeared on the 7th of this month. The proposal that a Decree be issued censuring the Governor of Yünnan was met by the Rescript issued on the 28th August, which was communicated to the British Minister. Steps have likewise been taken for mature deliberation with reference to the proposal concerning intercourse with the heads of the different departments of State, as is set forth in the Memorandum appended to this despatch.

Thus, in connection with the Yünnan affair itself, and the other questions of which it forms a part, as referred to by the British Minister, the Tsung-li Yamên has not in the most infinitesimal degree failed to act with *bonâ fide* effort; neither is it the case, as the British Minister has stated in his despatch, that almost every one of his proposals has been declared impracticable.

Coming to the British Minister's remark that he has not attached so much importance to the rejection of his proposals (as to the tone in which they have been discussed),

the Prince would reply that, whatever be the importance attaching, in the eyes of the British Minister, to this point, in all the discussions that have been carried on by their Excellencies Li and Ting, or the Ministers of the Yamên, with the British Minister or with the Chinese Secretary, Mr. Mayers, the propositions to which assent has not been given have been extremely few. How, then, can it be that no satisfactory guarantees have yet been furnished, or that the misgivings entertained by the British Minister are not dispelled?

The Governor-General Li having set out already some time ago from Hupeh, it must be for the British Minister to decide when Mr. Grosvenor shall proceed on his journey. If, on the arrival of the Governor-General Li in Yünnan to carry out his inquiry into this case, the officers deputed to be present at the trial should not have reached the spot, the Yamên can scarcely lay the blame of wilful delay on the Governor-General or those with whom he is to act.

The removal of the British Legation from Peking (as announced in the British Minister's despatch) it is not for the Prince, as a matter of course, to oppose by any means of constraint. What is necessary, however, in the conduct of affairs between the two countries is, that each shall show consideration for (or, bear with) the other, and that there shall be mutual discussion (on any subject that may arise). In such wise the existence of a genuine desire for friendly relations will be guaranteed. The British Minister observes, however, in his despatch now under acknowledgment, that he "has been chiefly influenced by the tone which the Ministers have displayed throughout the course of the recent discussions." Now, in respect of every one of the propositions advanced by the British Minister, the Tsung-li Yamên has, without exception, negotiated in entire sincerity. The British Minister, nevertheless, not having carefully considered (this fact) addresses his remarks to the "tone" of the Ministers.

It has always been a rule with the Ministers of the Yamên, in all their conferences with the representatives of any foreign Power, although occasions for argument may have arisen, to exhibit the very utmost degree of consideration and of courtesy. They have never given cause to any one to take offence (*lit.* they have never put any one in position "hard to bear"). The affair which has taken place in Yünnan, moreover, is one of the utmost gravity, and the object with which the Sovereign has commissioned the Governor-General Li to undertake an inquiry is, that it should be dealt with as justice requires. The British Minister, on his part, in deputing an officer to be present at the trial, has done so in order that he may have testimony whereupon to rely.

Before the Governor-General Li, however, has reached his destination in Yünnan, and whilst the officer deputed by Mr. Wade to be present at the trial has not been allowed to proceed, the British Minister writes that he has "no expectation of this case being fairly dealt with."

Is it (the Prince would ask) because the British Minister can prophesy (*lit.* knows beforehand) that the Chinese Government is certain not to deal fairly in the matter, that he (is about to) hurry away from Peking? or is he hurrying away from Peking because there has been a minute difference of opinion with regard to the propositions he has advanced, which he represents as almost amounting to their entire rejection as impracticable?

In conclusion, the Ministers of the Yamên are most desirous that the British Minister should negotiate (with them) in a dispassionate spirit. Whether negotiation is to be consented to or not, it remains with the British Minister to decide.

At the return visit which was paid by the Prince yesterday at the British Legation, the entire subject was discussed at length by the Prince with the Ministers of the Yamên with the British Minister; and the Prince is much gratified to learn that the Chinese Secretary, Mr. Mayers, is further to be sent to-day to an interview at the Yamên.

This reply is now for the present transmitted for the information of the British Minister.

Kwang Sü, 1st year, 8th moon, 23rd day.

Memorandum annexed to the foregoing Despatch.—(Copy of Memorandum handed by the Ministers of the Yamên to Mr. Wade on the 21st instant.

1. Relations between the foreign representatives at Peking and high officers of the Chinese Government.

In a previous Memorandum it has already been stated that on Mr. Wade's return to Peking this subject should be duly considered. The Yamên (convinced on) mature deliberation upon it, that it should be sought to reach the end by spontaneous means,

(considers that) the only course available is to wait until the envoys who are about to be sent abroad shall have had opportunities of familiarizing themselves with the usages of other countries, entering, as they naturally will do, upon intercourse with the high officials of the countries to which they will proceed, upon which, on their return to China, it will similarly be natural for them to cultivate relations with the foreign representatives at the capital of China. Progress will thus be made, increasing step by step, (until) it becomes a matter of no difficulty to render the state of affairs (in China) alike with that prevailing in the rest of the world. This is a natural and spontaneous course of proceeding, which may be depended upon. Should Mr. Wade be able to propose any practicable plan, even more spontaneous in its action than this, it can likewise be taken into due consideration.

2. Observance of the Treaty stipulations relating to trade at the ports and in the interior.

This implies the redress of causes of complaint in connection with the Treaty, respecting which consent has already been signified in the previous Memorandum to join in due consultation.

3 and 4. Escorts to be provided for Mr. Grosvenor and for a future Indian Mission.

Agreement on these two points has already been signified in the reply written on the 22nd August.

5. Memorial and Decree conveying censure upon the Governor of Yünnan.

The Yamên memorialized on the 28th August, and received a Decree in reply, in which the Governor is taken to task. This was communicated for Mr. Wade's information.

6. Appointment of an envoy to Great Britain, who should pass through India on his way.

With the exception of the visit to India, (the objections to which) have been set forth in the previous Memorandum, the appointment of an envoy forms the subject of the Decree of the 28th August, which was communicated on the following day to Mr. Wade, and on the 2nd September to the other foreign Representatives at Peking.

7. Publication of the Decree of Appointment.

In addition to the Decree of Appointment which was notified to Mr. Wade on the 29th August, a further Decree has been published on the 7th September for the information of His Majesty's Ministers and subjects generally.

8. Frontier trade in Yünnan.

It has already been stated on the 16th instant to Mr. Mayers, for the information of Mr. Wade, that so soon as the pending affair has been brought to a conclusion, this matter shall be made subject to arrangements.

No. 54.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 21, 1875

I INCLOSE a copy of my despatch of the 24th to the Prince of Kung, stating my reasons for sending Mr. Grosvenor to England.

On my return to the Legation, I informed my colleagues—the Representatives of Russia, America, Germany, and France, of my intention to send Mr. Grosvenor to England, and it was my purpose to telegraph this decision to your Lordship, when the receipt of Mr. Mayers' Report, on his return from the Yamên, induced me once more to reopen negotiations.

Inclosure in No. 54.

Mr. Wade to the Prince of Kung.

Sir,

Peking, September 24, 1875.

I HAVE perused with attention the communication your Imperial Highness did me the honour to address me on the 22nd instant, together with the Memorandum, in eight articles, inclosed in it. A copy of the latter paper had been left with me by the Ministers who accompanied your Imperial Highness to the Legation on the 28th instant.

After your Imperial Highness' departure on that day, I had a long Conference with the Ministers, principally upon the subject of the first and second articles, those relating that is to say, to intercourse between foreign Representatives and high officers of the Chinese Government in this capital, and to removal of burdens now laid upon foreign trade in contravention of Treaty. I referred also to the possibility of the audience question being revived during the minority of the Emperor, and the advisability of some understanding being arrived at on the subject.

It was eventually agreed that Mr. Mayers should proceed to the Yamên on the following day, the 23rd instant, at two o'clock, and that Mr. Hart, the Inspector-General of Customs, should also be invited to attend; but, having reason to apprehend that the Ministers had carried away with them an impression that I considered the commercial question as taking precedence of all beside in importance, I considered it desirable to disabuse their Excellencies of this notion, and Mr. Mayers was accordingly directed to wait on the Ministers in the forenoon, and to submit to them a proposition, which was the least I could consent to regard as an instalment of the Treaty right affecting the position of foreign Representatives.

Mr. Mayers, after discharging this mission, came back to the Legation, and at two o'clock, according to appointment, he returned to the Yamên. Later in the afternoon I had the honour to receive your Imperial Highness' communication under acknowledgment.

This communication is a reply to my despatch of the 17th instant, in which I informed your Imperial Highness of my intention at once to withdraw the Legation from Peking, and the reasons which had influenced me in forming that decision. I do not think it necessary to recapitulate them at length. They might be summed up in the statement that, from the tone in which high Chinese officers, both in the capital and in the provinces, have carried on the discussion in which I have been, directly or indirectly, engaged with them during the last six months, I could place no confidence whatever in the purpose of the Chinese Government to do justice in the matter of the Yünnan outrage, or to revise the conditions of its intercourse, diplomatic or commercial, with foreign nations, in such wise as to guarantee their Governments against insults or their people against wrong.

The conference I had with the Ministers of the Yamên at the Legation on the 21st did much to confirm me in this opinion. It was strengthened by perusal of the Memorandum left with me by their Excellencies, by your Imperial Highness' despatch of the 22nd, and by Mr. Mayers' reports of his first and second visits to the Yamên on the 22nd. So much so, that when he informed me of a further appointment to meet their Excellencies at the Yamên yesterday, I had all but made up my mind to decline continuance of the discussion on any terms. The proposition regarding ministerial intercourse, communicated to their Excellencies in the morning, was, in form at least, new. The trade question was certainly not new, but, although Mr. Hart had been at the Yamên for two hours, the Ministers, in their observations to Mr. Mayers, appeared disposed to deal with it pretty much as if they now heard what was advanced for the first time.

However, on consideration, I decided that it would be more becoming, before I declared the discussion at an end, to hear what answer your Imperial Highness had been pleased to make to the proposal submitted to the Ministers, by my desire, on the 22nd. It had been taken down in writing from Mr. Mayers' dictation. I knew, therefore, that there could be no mistake as to my meaning. I went accordingly to the Yamên yesterday, accompanied by Mr. Grosvenor and Mr. Mayers, and was received by the Grand Secretary Shên, and the ministers Tung and Ch'ung.

The Grand Secretary Shên opened the Conference by what I understood to be a message from your Imperial Highness, to the effect that if a memorial were presented in the sense I had suggested, and an Imperial Decree obtained, directing the chiefs of other departments of State to confer with the Tsung-li Yamên regarding the changes in etiquette, it might be expedient for China to adopt now that missions are about to be established abroad, there would possibly be serious dissension (*nao*) between the high officers so instructed. And of this your Imperial Highness thought it well I should be apprised beforehand.

It appeared to me that this message could have but one meaning. If your Imperial Highness anticipated so strong an opposition to the object to be indicated in the Decree, I was naturally to be prepared for the rejection of the measure on which the high officers in question were to deliberate. Nothing to my mind, and so I stated, could be less satisfactory. I could not suppose that under the circumstances, your Imperial Highness could move the Throne as I had requested. I added, that were the result I presumed inevitable, the rejection of the measure suggested, to follow the issue of the Decree, so

far as foreign feeling was concerned, and it was the propitiation of this that I had contemplated, the last end would be worse than the first.

Both the Grand Secretary and his Excellency Tung continued to assure me that it was not at all certain that the measure would be rejected, even if it were hotly discussed. A similar discussion had ensued, when it was proposed to found the school for languages. Your Imperial Highness had hereby desired that I should not be unaware of the contingency.

I continued to declare myself unable to understand why the contingency of a discussion between Chinese high officers should be made known to me at all, unless as a warning that the measure was more likely to be lost than carried. I was then assured that if the Tsung-li Yamên supported it before the Throne, the measure was certain to be carried.

After much reiteration of all that had passed, as above, on both sides, a note was brought into me open, from the Grand Secretary Wênsiang, by one of the clerks of the Yamên. Your Imperial Highness was of course cognisant of this paper, and I beg attention to the passage in which his Excellency informs me that on the matter of ministerial privileges, the Yamên would certainly not venture, until the Emperor shall have assumed the administration of the Empire in person, to intrude requests on His Majesty.

My resuscitation of this and the other questions noticed in the Ministers' memorandum of the 22nd, was due to my desire to obtain such guarantees of the determination of the Chinese Government to change its foreign policy, as would enable me to report that I thought the Government would act in good faith in the Yünnan affair. These guarantees obtained, I was prepared to send Mr. Grosvenor on his mission to Yünnan. I regret that I can give no such assurance to Her Majesty's Government. If it be indeed true that the prayer of the Tsung-li Yamên is certain to be listened to, and that, the Decree once issued, the end I had in asking for it is certain to be attained, I am at a loss to explain the caution conveyed to me regarding the opposition of Chinese Ministers to it. Still less can I explain the very strong asseveration, above quoted, of the Grand Secretary Wênsiang. As I stated in my despatch of the 17th instant, it was less the rejection of what I propose than the tone and attitude of the ministers with whom my propositions were debated, that convinced me of the inutility of prolonging discussion. I must now tell your Imperial Highness that this conviction is simply strengthened by the conferences of the last few days, and that I have arrived at the following decision:—

I stated in my despatch of the 17th instant that I should withdraw the Legation from Peking. For certain reasons I shall not do this. I shall remain in Peking. But instead of allowing Mr. Grosvenor to proceed to Yünnan, I shall send him to England, to explain the situation in person to the Earl of Derby.

In the matter of Ministerial privileges, it will be for your Imperial Highness to take what steps you may consider most suitable for the satisfaction of the obligations of the Chinese officers to the Governments of other countries.

As regards taxation of trade, I have more than once pointed out that, if the Chinese Government persists in unduly taxing the trade of British merchants, a measure of retaliation is in the hands of the British Minister. And I must entreat your Imperial Highness no longer to regard this as an empty form of words.

I shall inform the Viceroy of India that I cannot recommend the despatch of such a mission as was in contemplation at present.

Lastly, as to the Yünnan outrage, Her Majesty the Queen, in the Speech delivered from the Throne, when Parliament was prorogued on the 13th August, has declared it to be the purpose of her Government to insist upon the punishment of both the instigators and perpetrators of that crime. The Governor-General Li, in his capacity of High Commissioner, having started from Wu Ch'ang-fu more than a month since, will shortly be at the provincial capital of Yünnan. His Excellency will, of course, report the result of his inquiries, and your Imperial Highness, I cannot doubt, will communicate the substance of his report to me, for the information of Her Majesty's Government. On this point I shall take the liberty of referring your Imperial Highness to my despatch of the 20th August, containing a narrative of what occurred on the occasion referred to, compiled from authentic sources, and of reminding your Imperial Highness that, in the face of the facts there put together, it will be difficult to persuade Her Majesty's Government to accept any of the solutions as yet brought forward by Chinese officials. The Grand Secretary Li assured me that the Acting Governor-General Ts'ên, in his Memorial, had represented the assailants of Colonel Browne's party to be train bands. A Memorial from his Excellency Ts'ên, quoted in your Imperial Highness' despatch of

the 31st July, spoke of them as savages of the tribes tempted by hope of plunder. His Excellency Ting ascribed the attack to simple people who knew no better. There are other solutions even more ridiculous. Your Imperial Highness may rest assured that any such explanations as these would but add seriously to the angry feeling the crime itself has produced in England.

To conclude, in my despatch of the 21st August I stated that I did not choose Mr. Grosvenor to take part in the investigation without guarantees of good faith, because I did not choose that my Government should be befooled. I must warn her Majesty's Government that I have even less hope than some time since of a satisfactory termination of this inquiry; that I have, if possible, less confidence than ever in the security of the future; and that, if the dignity of the Government is to be respected in China, and due protection insured to the persons and interests of British subjects, Her Majesty's Government must reckon on other means than Treaties, of which the majority of Chinese officials are ignorant, or which the few acquainted with them never hesitate to ignore. A secret Decree of the 12th November, 1860, a copy of which I append to this despatch, prescribed the course of action to be pursued in the provinces in the regulation of trade. In the preparation of rules affecting it, care was to be taken that a spirit of restriction should abide. It is with sincere regret that I find myself constrained to admit that no other spirit has been manifested, whether in the capital or the provinces, since the day the British Treaty first came into operation.

One word more. I cannot doubt that much that has fallen from me, in speech—in writing, is in matter or in manner distasteful to the Chinese Government. For the manner—for my frequent loss of temper in argument—I put forward no excuse. For the matter, the Chinese Government leaves me, in my judgment, little option. If, however, it appear to your Imperial Highness that I am dealing harsh measure to the Chinese Government, the Mission now about to proceed to England will have an opportunity of duly representing the opinions of the Chinese Government to the Government of Her Majesty. I have no desire to delay its departure.

I avail, &c.
(Signed) THOMAS FRANCIS WADE.

No. 55.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 21, 1875.

I ENCLOSE copy of an official note which I addressed to the Prince of Kung on the 26th of September.

The same day, the 26th, the Chinese version of my long note of the 24th was transmitted to the Prince, for exactness sake only; the decision conveyed in it had been cancelled by my announcement of an intention to revert to my earlier plan, made on the 25th.

The 27th September, I received an official note from the Prince of Kung acknowledging mine of the 24th, which he had now had an opportunity of reading in Chinese, and informing me that a memorial on the subject of Ministerial intercourse had been or would be (it was not clear which) presented to the Throne. I inclose translation of this note, and copy of my reply to it, which was sent in immediately. I availed myself of the opportunity to state that, much as I regretted the use of peremptory language, I felt bound to insist, without compromise, on the concession of my demands. The Prince's note, it will be seen, had alluded to the Ministerial question only. Nothing was said either of trade in general or of trade on the Yünnan frontier. The Ministers Shên and Tung had promised me on the 25th that Mr. Mayers should be sent for to confer with them on the trade question. No message had come from them on the afternoon of the 27th, and the 28th was the day on which the term I had named was to expire.

Inclosure 1 in No. 55.

Mr. Wade to the Prince of Kung.

Sir,

Peking, September 26, 1875.

I HAD the honour to address your Imperial Highness a communication of considerable length upon the 24th instant, in which I explained my reasons for declining further

discussion of the questions that have been subjects of conference or correspondence during the last six weeks. In the same communication I announced my intention of sending Mr. Grosvenor to England. The original of my note was left, by my desire, at the Yamên by Mr. Mayers, who translated it orally to the Grand Secretary Shên and the Minister Tung.

I myself had an interview with their Excellencies yesterday, and I doubt not they will have reported to your Imperial Highness the conditions under which I am prepared to modify the decision arrived at as above, and the course I am resolved to pursue, should satisfaction of these conditions be found impossible.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

The translation of my note of the 24th instant has taken time, but will be sent in the course of to-day.

T. F. W.

Inclosure 2 in No. 55.

The Prince of Kung to Mr. Wade.

(Translation.)

September 27, 1875.

THE Prince of Kung writes in acknowledgment of the despatch received from Mr. Wade on the 26th instant, with the contents of which he has fully acquainted himself. On the 24th instant Mr. Mayers delivered at the Yamên the English text of a communication from Mr. Wade, which he orally translated to the Ministers, and on the 24th instant Mr. Wade, attended by Mr. Mayers, had a conversation at the Yamên with the Ministers Shên and Tung, the purport of which the Ministers have not failed to report to the Prince.

With reference to the proposition named as the first essential, the Yamên have already [decided]* forthwith to draw up a memorial to the Throne. The Prince, in forwarding this preliminary reply, expresses his wishes for Mr. Wade's prosperity.

Inclosure 3 in No. 55.

Mr. Wade to the Prince of Kung.

September 27, 1875, 2 P.M.

MR. WADE has the honour to acknowledge the receipt of the Prince of Kung's note of this morning.

Mr. Wade is in some doubt as to the meaning of the last sentence in it. The word "i," as the sign of past time, would seem to indicate that some action had been taken by the Tsung-li Yamên. The words "chi jih," on an early day, preceding the words "ni tsou," propose to address a Memorial to the Throne, imply that action has been contemplated, but has not yet been taken.

Mr. Wade will be obliged to His Imperial Highness to inform him whether he is to understand that the Memorial of the Yamên has been or is about to be presented, and in the latter case how soon it is to be laid before the Throne.

Mr. Wade must also call His Imperial Highness' attention to the fact that the note under acknowledgment contains no reference whatever either to the taxation of trade at the ports, or the trade between Burma and Yünnan.

The Prince of Kung may be assured that it gives Mr. Wade no pleasure to be writing notes of a peremptory character to a personage of His Imperial Highness' exalted position, at whose hands, moreover, Mr. Wade has never experienced any but the most courteous treatment; but Mr. Wade has no alternative.

The Ministers with whom he has been in conference on the subjects above referred to speak of them as if the concession of what Mr. Wade requires were something extravagant to exact of China, and at the same time a matter of extraordinary favour to the British Government. Mr. Wade does not so regard it, neither will it be so regarded by the British Government. It must be remembered that what Mr. Wade has asked for has been asked for not as satisfaction for the atrocity committed in Yünnan; that has to be

* N.B.—There appears to be a studied ambiguity in this phrase, as regards completed or prospective action.

visited upon its instigators and perpetrators, but as guaranteeing the good faith of the Chinese Government in the conduct of the inquiry about to be held in Yünnan; and as guaranteeing its determination to enter into relations with foreign Governments that shall better secure the future against recurrence of such crimes as the Yünnan atrocity. Without these guarantees, Mr. Wade has declared that he will not send his agents to be present at the inquiry in Yünnan; and unless his agents be present, as he told the Prince of Kung last March, no finding or sentence of a Chinese Tribunal will be deemed satisfactory by Her Majesty's Government.

Mr. Wade has already reported to Her Majesty's Government the substance of his note forwarded to the Prince of Kung upon the 17th instant. He must repeat once more that, if it be not in His Imperial Highness' power to concede to the propositions now before His Imperial Highness by the time appointed, it will be his duty to act as in that note he stated he would act.

The consequences are, no doubt, of the extremest gravity; but, with the record of the last fortnight's conferences before him, Mr. Wade accepts their responsibility. If there be a point on which Mr. Wade has reason to apprehend the disapprobation of Her Majesty's Government, it is that, after the announcement of the decision taken on the 17th instant, he should have modified it as he did modify it on the 24th.

No. 56.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 21, 1875.

HAVING received information, from a source entitled to credit, that the people of Yünnan were being excited against Mr. Grosvenor's mission, I at once called the Prince of Kung's attention to the report. I inclose copy of my note, and translation of the Prince's reply.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 56.

Mr. Wade to the Prince of Kung.

Peking, September 27, 1875.

MR. WADE presents his compliments to the Prince of Kung and the Ministers of the Tsung-li Yamên.

News has just reached Mr. Wade, from an authority entitled to respect, that it is in contemplation, in the event of Mr. Grosvenor's being sent to Yünnan, to stir up the people on his arrival, for the purpose, if no worse, of intimidating him and his interpreter.

Mr. Wade will be much obliged to His Imperial Highness and the Ministers of the Yamên to inform him if they have received any recent news from Yünnan.

Inclosure 2 in No. 56.

The Prince of Kung and the Ministers of the Yamên to Mr. Wade.

(Translation.)

September 28, 1875.

THE Prince and Ministers have to acknowledge the receipt of Mr. Wade's note, stating that he had just heard that it was in contemplation, in the event of Mr. Grosvenor's being sent to Yünnan, to stir up the people on his arrival, for the purpose, if not worse, of intimidating him and his interpreter.

The Prince and Ministers would observe in reply that, friendly relations having subsisted for so many years between China and Great Britain [it is not conceivable that] any design to cause harm to befall [Mr. Grosvenor] should be entertained. On the other hand, ignorant and ill-intentioned persons set themselves to stir up strife and to incite the minds of others, their constant delight being the production of mischief. In all cases of this description, the Prince and Ministers have never given an unwarranted belief [to the reports spread abroad]. They have made it a rule to punish the offender with the utmost rigour of the law, as a warning for the future.

If the report that has now reached Mr. Wade has been derived from a Chinese source, they must beg to be fully informed as to the individual, in order that proceedings may be instituted, and the matter judicially dealt with. This will secure the result of making evi-disposed persons careful not again to give rise to occasions of trouble, and at the same time contribute toward the important object of maintaining in their integrity the duties of friendly relations.

They beg further to add [in reply to Mr. Wade's inquiry], that no authentic news has been received of late from Yünnan, and they avail, &c.

No. 57.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 21, 1875.

MY previous despatch of this date * reports proceedings up to the 27th September inclusive. The 28th was passing away, and Mr. Mayers had not been invited to the Yamèn, as it was promised he should be; neither had I received any other indication of a disposition to accede to my demands.

I accordingly prepared the inclosed note to the Prince of Kung, and the translation was being copied, when the manuscript edition of the "Peking Gazette" of the day was put in my hand. It contained a Decree in the sense I required, upon intercourse with foreign Ministers. I therefore added a postscript to my despatch in which I extended the term fixed by one day. I suggested that Mr. Mayers should wait upon the Ministers of the Yamèn on the following day at whatever hour they chose to name.

As the messenger was starting with this document, an official note arrived from the Prince of Kung, embodying the Decree referred to, and inclosing the Yamèn's Memorial which had elicited the Decree.

I inclose translations of the note and the Memorial, which, in many respects, is by far the best paper ever published (it has been since published in the "Gazette") upon foreign relations by the Government of the Empire.

This high praise has at the same time to be qualified to a certain extent. Your Lordship will recollect that my reason for setting such store by a declaration of the kind was that the British Government had been spoken of, to put it as inoffensively as possible, without due recognition of its equality to the Government of China. The form of writing against which I had protested has been times without number defended on the ground that the Emperor's Decrees are not addressed to foreign Governments or persons, and that the adoption of such a change as I have pressed for would carry with it an abatement of the deference which the subjects of the Emperor should show towards His Majesty. The Yamèn's Memorial aims, no doubt, at an assertion of this principle rather than any other. At the same time another principle is asserted, and that a principle of great importance, the equality, namely, of Governments, which has never been thus publicly admitted. It farther inculcates the expediency of establishing Missions abroad, and of improving intercourse with the foreign Missions established in Peking. There is not a word in the paper at which a foreign representative could take offence; and even if its appearance, which is as likely as not, be followed by no immediate results, the Memorial and Decree must be regarded as marking a new era in foreign relations with China.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

P.S.—I beg to add copy of the reply I addressed the Prince of Kung, acknowledging communication of the Decree and Memorial above referred to.

T. F. W.

Inclosure 1 in No. 57.

Mr. Wade to the Prince of Kung.

Sir,

Peking, September 28, 1875.

I HAVE the honour to refer your Imperial Highness to my despatch of the 26th and my semi-official note of the 27th instant.

* No. 55.

In my despatch of the 26th I assumed that the Grand Secretary Shên, and the Minister Tung would have informed your Imperial Highness of what passed between their Excellencies and myself when I was at the Yamên on the 25th instant.

I gave their Excellencies to understand that I should require a satisfactory answer upon three subjects: the position of the British Representative at Peking; the adjustment of taxation on British imports; and the issue of the necessary authority to enable a competent official to discuss the Yünnan frontier trade of Burma with the head of a Mission from India; and that unless I should receive such an answer by this evening, I should pursue the course which I announced that it was my intention to pursue in my despatch of the 17th, forwarded to your Imperial Highness upon the 18th instant.

As I was leaving the Yamên I asked the Ministers what steps would be taken for the further discussion of the second question within the term thus prescribed, and the Grand Secretary Shên promised that Mr. Mayers, the Chinese Secretary, should be invited to the Yamên for the purpose.

The promised invitation has not been sent to Mr. Mayers. I shall, therefore, as in my despatch of the 17th instant I said I would. Mr. Grosvenor will proceed to England, and I shall at once withdraw the Legation, and the British communities of the northern ports, as soon as their removal can be effected.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

P.S.—As this despatch was being copied, the manuscript "Gazette" of this evening was put into my hand. It contains a Decree replying to a Memorial of the Tsung-li Yamên on the forms of Decrees, I suppose Decrees relating to foreign States, and of intercourse between the chiefs of Departments in Peking and foreign Representatives. Assuming that the Decree is authentic, I am willing to put the most favourable construction on the Tsung-li Yamên's action in the matter; but after all that has fallen from the Grand Secretaries Wên-siang and Shên, especially the former, regarding the difficulties to be looked for in this matter of intercourse, I must be more exactly informed before I accept this action as sufficient. I must observe that I am still without a word from the Yamên on the subject of the two other propositions. I will wait till to-morrow evening, and if I am then without such an intimation on the two points in question as I can report to Her Majesty's Government is satisfactory, I shall adhere to my decision to withdraw the Legation. I have to prove to Her Majesty's Government that the Chinese Government is not trifling with me, and if the Chinese Government is seriously determined not to trifle, it will have no difficulty in supplying me with proof.

Mr. Mayers will call at the Yamên to-morrow at whatever hour it may suit the Ministers to receive him.

T. F. W.

Inclosure 2 in No. 57.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, September 28, 1875.

THE Prince of Kung to Her Britannic Majesty's Minister:

The Yamên of Foreign Affairs addressed this day a Memorial to the Throne, on the subject of intercourse between the heads of the different Departments of State and the foreign Representatives at Peking, in reply to which a Decree has been issued in the following terms:—

"The Tsung-li Yamên has presented a Memorial, praying a declaration from the Throne on the subject of certain prescriptions in our Decrees, and regarding the conclusions arrived at [by the Yamên] in the matter of intercourse between the chiefs of the principal Departments of State and the foreign Ministers residing in the capital. The explanation of the prescriptions that apply to the Decrees is perfectly correct. As regards intercourse with the chiefs of Departments, we command that action be taken in the manner the Yamên has proposed."

The Prince would observe that in the case of Envoys who are sent from one country to the other [he is aware that] the privilege of having audience of the Sovereign is enjoyed as well as that of intercourse with the principal officers of Government; and in China audiences have already taken place on several occasions. His Majesty at present on the throne not having as yet, however, assumed the administration of the Government in person, this is a subject which it is not expedient to bring at once [*lit.*, abruptly]

under discussion. Assent having been signified to the Memorial presented this day, with reference to the question of intercourse between the heads of the different Departments of State and the foreign Ministers at Peking, it is the Prince's duty to forward the foregoing copy, reverently made, of the Decree received, and a copy likewise of the Memorial presented by the Yamên for the British Minister's information.

Kuang Sü, 1st year, 8th moon, 29th day.

Inclosure 3 in No. 57.

Memorial regarding Intercourse with Foreign Ministers.

(Translation.)

Memorial of the Tsung-li Yamên, which appeared in the manuscript copy of the "Peking Gazette," on the 29th September, 1875.

YOUR Majesty's servants Yi-sin and his colleagues (the Prince of Kung and the Ministers of the Tsung-li Yamên), upon their knees present a Memorial. They enter with detail into the question of personal intercourse between the Chinese and the foreigner, and they pray a Decree which, as a declaration from the Throne, may dissipate men's doubts, and hinder suspicions and misunderstandings.

In the 5th moon of the present year, the Yamên of your servants presented a Memorial, in which they prayed that a reserve might be formed of persons thoroughly conversant with foreign affairs. They had the honour to receive a Decree, approving this proposition; and at a later period a second Decree, directing Kuo Sung-tao, expectant Shih Lang (Vice-President), and Hsü Ch'ien-shên, an expectant Tao-tai (Intendant), on the staff of the Province of Chih-li, wearing the insignia of the 2nd grade, to proceed on a mission abroad.

Prostrate, your servants would observe that, when praying the formation of a reserve of persons thoroughly conversant with foreign affairs, the object they had in view was not simply the transaction of business in which Chinese and foreigners may be jointly concerned. Missions to foreign States and the question of intercourse lay equally within their prayer. Men's minds, in fact, must have free access to each other before angry collisions between them can be prevented. If there are to be no collisions they must thoroughly acquaint themselves each with the position of the other.

In the 6th year of the reign Tung Chih (1867), Chih-kang and Sun Chia-ku (subordinates) in the Yamên of your servants, went as envoys to different States.*

On their return they mentioned that visits had been interchanged between them and the high officers of the different departments of the foreign States [in question]. Your servants have also been spoken to repeatedly upon the subject by the Ministers of foreign States residing in the capital; their remark being that as visits were never exchanged between the high officers of State Departments and the Ministers of foreign nations in the capital, it was not astonishing that, when their authorities kept thus aloof, the lower orders should make light of the officials and people of foreign nations.

Your servants would observe that if visits have so far neither been paid nor received by the high officers of departments in the capital, their practice has been but in scrupulous conformity with the principle "that† officials have no intercourse [with foreigners]." On the other hand, China has long since entered into friendly relations with foreigners; Missions are being sent abroad; the circumstances of the past and present time are not the same; and though it is not possible to treat [foreign] Envoys in every way as they are treated in foreign States, eastern or western, still it does not for all that appear necessary that there should be no intercourse with them whatever.

It is the duty, therefore, of your servants to pray a Decree directing their Yamên to consider and decide with the high Departments of State the [future] conditions of this intercourse, to the end that the motives suggesting it may be thoroughly comprehended, and that while, on the part of those entering into intercourse, any possible misgivings [on the subject of etiquette], may be more or less prevented, those not yet entering into intercourse may come to understand the relations of the Chinese with the foreigner.‡

* More properly the different States, namely those in Treaty relations with China. The two Envoys named accompanied Mr. Burlingame.

† Quotation from the Li Ki, the Book of Obligations and Observances, commonly spoken of as the Book of Rites.

‡ The precise meaning of the passage is not clear. It seems to be that when the etiquette to be observed has been agreed upon, high officers in Peking and Foreign Ministers will have intercourse. Those not yet in intercourse, it is suggested, are either high officers of the lesser courts, or authorities in the provinces not open to trade. The word rendered relations includes all political and commercial.

Herein is the significance of intercourse between public servants, and it is indispensable that all, both native and foreigner, should be made to understand it thus.

[There is another matter to be mentioned.] In the relations of Governments of equal dignity, no superiority is [asserted] on either side. But there is a point on which foreign Governments are not duly informed. It constantly happens that, when, in copies of Imperial Decrees, words indicating this or that Government are seen to be in the body of the column, [the foreigner] will suspect that the inferiority of his Government is implied. His Government, he fears, will consequently be looked down upon by the officials and people of China.

It has been again and again explained that in Imperial Decrees, as these are commands addressed only to the officials and people of China [no foreign Government's designation] can lawfully be raised above the column. So in State Letters (*sc.* of Credence, &c.) [words of the kind] are invariably elevated. In the letters, for instance, that have on different occasions passed between the Sovereigns of China and of foreign States [the Ruler's designation] has been so elevated on both sides. The word designating the Government of the great Power addressed has also been elevated. The fact that in the Treaties with foreign States the words are so printed, is an additional proof [that their equality is admitted]. Why, then, should a distinction as between superior and inferior be suspected?

It is difficult, however, notwithstanding the repeated explanations given, to convince every one, native and foreign, of the truth, without a Declaration from the Throne. It is also too possible that some ignorant person of bad character may make mischief of the matter.

Herein is the significance of intercourse between Governments, which it is indispensable that all, both native and foreigner, should be made to understand.

The two questions above submitted have been very carefully considered by your servants. They are seriously apprehensive lest, on one side or the other,* motives may not be thoroughly appreciated. At the same time [there are practical difficulties to be met], and to carry a measure of formality by force, without due precaution against evils in substance that might ensue from it, would infallibly entail consequences of the most serious importance to foreign relations; the point it was sought to approach being further than ever removed, the effort made to gain an advantage having resulted in loss.

[Under these circumstances, your servants] venture to state their views detailedly and explicitly, and, looking upward, they implore your Majesty graciously to accord a Declaration from the Throne, that may dissipate the doubts of the many and render the great stake secure.†

On their proposition, be its merits what they may, they prostrate beg to the sacred glance of the Empresses [Regent] and the Emperor.

A respectful Memorial.

The Decree in reply has been copied (*sc.* published.)

Inclosure 4 in No. 57.

Mr. Wade to the Prince of Kung.

Sir,

Peking, September 29, 1875.

AS my communication of last evening was leaving the Legation, I received your Imperial Highness' note embodying the Imperial Decree to which mine had requested attention, and inclosing copy of the Tsung-li Yamên's Memorial to which the Decree was a reply.

The authentication of the Decree is thus complete, and having now had time to peruse carefully both documents, I am enabled to assure your Imperial Highness of my conviction that they will be read with satisfaction by every well-wisher to China.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

* The two sides are Chinese and foreign Ministers, in the consideration of one of the two questions; and the Ministers of the Tsung-li Yamên and other departments, in that of the other.

† The great stake or board, *ta chü*, is any important matter in hand; here foreign relations. The word *secure* is the verbal rendering of *wei*, properly the rope which binds a net on the four sides, and keeps it together; also used of the four upright columns that give stability to the framework of a house.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 21, 1875.

IN accordance with my proposition (Inclosure 4 of my other despatch of this date),* Mr. Mayers proceeded in the forenoon of the 29th September to the Yamên. Mr. Grosvenor was to take leave of the Ministers in the afternoon, and having allowed him a little law for purposes of ceremony, I followed.

The sum of my questions in speech or writing was this:—Was I, or was I not, by the evening of the 29th, to receive the assurances I had demanded regarding taxation of trade at the ports and inland, and regarding consideration of the frontier trade in Yünnan? The contention of the Ministers, early and late, was that I had already received the very assurances for which I was still pressing.

I reviewed at great length the whole of the antecedent discussion, guarding myself against any show of irritation. But I insisted emphatically that I could now accept no compromise; that I must go if my guarantees were not conceded; that if, after the evening of the 29th, negotiations were resumed, I should put forward fresh demands.

Shortly after my return home, I received a note from the Prince of Kung, of which I inclose translation.

For the moment, all hope of adjustment appeared at an end. Not only was the time I had named past, but the winter was approaching; and if I had expected anything from the protraction of the discussion, it was scarcely open to me to protract it; if the Legation and the communities were to be withdrawn. I resolved accordingly to withdraw them, as soon as the necessary notices to my colleagues and to the northern port communities could be prepared.

Inclosure 1 in No. 58.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, September 29, 1875.

THE Prince received on the 26th instant two communications† from the British Minister, to which a reply had not yet been sent, owing to the fact that action was in process of being decided upon, when a note was further received on the 27th instant, in which the British Minister stated that he was in some doubt as to the meaning of the sentence (in a note just received from his Imperial Highness) to the effect that the Tsung-li Yamên had proposed to address a Memorial to the Throne, and further, that the note under acknowledgment contained no reference either to the taxation of trade at the ports, or to the trade between Burma and Yünnan, as also that the Ministers with whom the British Minister has been in conference on the above subject spoke of them as if the concession of what is required were something extravagant to exact of China, and at the same time a matter of extraordinary favour to the British Government.

To this note a reply was in course of preparation, when, on the 28th instant, the British Minister's despatch was received, referring to the Decree which he had read in the "Gazette," giving sanction to the Tsung-li Yamên's Memorial on the subject of relations with the foreign Ministers at Peking, and stating that he should wait until the following evening, when, if without a satisfactory reply on the subject of the two other propositions, he should adhere to his decision to withdraw the Legation from Peking.

The Prince has to state that, with reference to the Decree respectfully received in reply to the Memorial presented [by the Yamên] on the 28th instant, a communication has already been addressed to the British Minister, and that the expression [in the Prince's note of the 27th instant] upon which information was requested, indicated the fact that the Memorial was actually in process of being drawn up.

The doubt in which the British Minister found himself may be attributable, perhaps, to the fact that the Chinese form of expression differs [from what might be used in English].

As to the view taken by the Tsung-li Yamên of its prayer for authority to confer with the chiefs of the different Departments, and decide upon the subject of intercourse

* No. 58.

† *i.e.*, the despatch dated the 26th instant, and the Chinese text of the despatch of the 24th instant, the English text of which had been delivered to the Ministers on that day.

between them and the foreign Ministers at Peking, the Prince and his colleagues have by no means considered this in the light of an extraordinary favour. Conscious as they were of the fact that the matter in question was a matter *sui generis*, they were perfectly aware that it was no easy task to achieve. The purpose for which they felt bound to carry it into effect was that a guarantee should thereby be given [of] improvement in foreign relations, with a view of guarding against causes of international disagreement hereafter, and not by any means solely on account of the affair that has taken place in Yünnan.

In connection with the taxation of trade, again, whatever particulars may call for consideration with a view to action being decided upon, ought to be taken into consideration as the occasion for it presents itself; and here, also, it is by no means as a consequence of the Yünnan affair that an agreement to consult and act in the matter has been signified. Within the last few days the Inspector-General of Customs, Mr. Hart, has been directed to consider the question carefully and in detail.

In respect of the questions relating to trade on the frontier of Yünnan, the Tsung-li Yamên has already consented to enter into negotiations; and in this respect, also with the view of guarding against disagreements, the promise was given that an official should be appointed to make inquiry after the case now pending in Yünnan shall have been wound up.

The foregoing particulars have all been stated repeatedly to the British Minister personally, and likewise in communications to his address. Notwithstanding this he now writes that not a word of mention of them has been received, and, fixing a limit of one day, his ultimatum is, that unless he receives a satisfactory reply, he will leave Peking. Thus, in matters in which the Prince, for his part, has already agreed to negotiate with the British Minister with a view to genuinely satisfactory results, the British Minister, on the contrary, seems to cherish an intention of using compulsion. The consequence is that, although the desire to enter into arrangements [or, consultation with a view to action] be entertained, this cannot be done; and although it be wished to prevail [on the British Minister] to remain, this object is beyond reach. To sum up: there is no time or subject at or with reference to which the Prince and his colleagues have been otherwise than willing to negotiate with the British Minister, notwithstanding which, he writes to them in the words he has lately addressed to them. Let but the subject be examined in its details, and the correspondence that has passed be appealed to, and it will become patent to every eye whether, in the relations between the Chinese and the British Governments, or in the conduct of affairs between the Prince and the British Minister, there has been a disposition, even in the least possible degree, to trifle with him.

This communication is accordingly forwarded in reply.
Kuang Sü, 1st year, 9th moon, 1st day.

Inclosure 2 in No. 58.

Mr. Wade to the Prince of Kung.

Sir,

Peking, September 30, 1875.

I HAVE the honour to acknowledge your Imperial Highness' communication received last evening. I regret to find in it nothing that will enable me to depart from the decision earlier announced to your Imperial Highness. It will be my duty in a day or two to address your Imperial Highness at greater length.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

No. 59.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 26, 1875.

I RESUME my narrative at the point at which I left it in my despatch of the 21st instant. I stated therein that I had determined to withdraw the Legation and the northern ports' communities.

The inclosed note, dated the 1st instant, to the Prince of Kung, was accordingly

drafted and translated; but pending the further explanations I was expecting from Mr. Hart, I detained it.

In the forenoon of the 3rd instant Mr. Hart called on me. He had had a long conversation with the Grand Secretary Wênsiang the day before (the 2nd instant), and his Excellency had closed the interview by desiring Mr. Hart to submit some proposition regarding taxation of foreign trade that would be feasible for China, and acceptable alike to all the Treaty Powers.

Mr. Hart had, of course, promised to do his best, but had expressed his doubts that, at the present juncture, the measure would be of any avail, as I had determined on taking the step I had announced.

Before he left the Legation, Mr. Hart received a note, summoning him to the Yamên. I authorized him to tell the Ministers that he had left me engaged upon the papers I have mentioned, and to remind them of what I had said on the 29th September, namely, that, that day passed, I should not resume negotiations without putting forward fresh propositions.

He proceeded to the Yamên, and was there received by the Grand Secretary Wênsiang and five other Ministers. They handed him my note of the 2nd (Inclosure 2) to read, and he, Mr. Hart, was again instructed, in what I consider very satisfactory terms, to report on the whole commercial question with a view to its adjustment.

Having reached this point, Mr. Hart thought it advisable, before repeating what I had authorized him to say, to consult me. He returned to the Legation accordingly for that purpose.

I begged him to deliver my message of the morning, to point out that what I had sought was not the material advantage of this or that concession, but the guarantee of good faith that the removal of a standing grievance, and the promise regarding Yünnan trade, would have afforded; that the situation was now changed; that I pressed for the concessions earlier-named no longer, but for the publication either of the Decree and Memorial censuring the Governor of Yünnan, which had been communicated to me at Tien-tsin, or of a fresh Decree ordering the Governor and the Momein officials to Peking.

I felt clear that I must have something in addition to my earlier programme. I had assured the Ministers very positively on the 29th September that, unless what was then before them were yielded, fresh demands would be inevitable. Had I gone back to the trade questions, pure and simple withal, it would have been assumed that my real object after all was trade, and none other.

After much reflection, I decided that foreign interests could hardly be more advantaged than by a Decree recalling the attention of the Provincial Governments to the Treaty provisions affecting the right of travel under passport. The demand, at the same time, was so simple, that evasion of it would perfectly free the hands of Her Majesty's Government in any decision to be hereafter taken. Mr. Hart was to go to the Yamên early in the day (4th instant), and I accordingly wrote to him that I would substitute this demand for that of the previous evening, requiring at the same time, however, a despatch that would assure me of the Yamên's *bonâ fide* intention to instruct him to frame such a report as the Grand Secretary had spoken of, and a second despatch engaging the Chinese Government to authorize consideration of the Yünnan frontier trade in the manner I had proposed.

At the Yamên, Mr. Hart found the Grand Secretary Wênsiang, and with him the Grand Secretary Li Hung-ch'ang, who, in his capacity of Governor-General of the Province of Chih-li, had come up to superintend the funeral procession of the late Emperor, whose coffin was to be attended by the whole Court to the mausoleum on the 16th. After a very long conference, in which, although an understanding was arrived at that the two despatches should be shown me in draft, if I would show my draft replies, still nothing was settled about the Decree. The Grand Secretary Li begged Mr. Hart to go to the Legation and to say that his Excellency would presently come to see me. He would be glad that Mr. Hart should remain till he came.

I had meanwhile received a despatch from the Prince of Kung (Inclosure 3), replying to mine of the 1st and 2nd instant. It was directed principally to the bean-trade question, the Grand Secretary's observations regarding which, it contended, had been misunderstood, and closed with an assurance that the Prince was ready at all times to negotiate [literally, confer and take action] with me, and on any subjects.

I at once sent Mr. Mayers to the Yamên with the inclosed Memorandum of instructions, to ask for explanation of the expression "confer and take action," but more particularly to impress upon the Ministers once more the real object of my demands, and the danger of rejecting them.

Shortly after Mr. Mayers' return to the Legation, the Grand Secretary Li arrived, accompanied by Hsü Ch'ien-shên, his relative by marriage, who is to be one of the two Envoys to be sent one day to England.

Inclosure 1 in No. 59.

Mr. Wade to the Prince of Kung.

October 1, 1875.

Sir,

IN my reply of the 30th September to your Imperial Highness' communication of the 29th, I had the honour to state that I should write at greater length to your Imperial Highness in a day or two.

It was my intention at the time to review what had passed since the 17th September, the day on which I wrote to announce that I had decided on the withdrawal of the Legation and the northern port communities.

It appears to me, on reflection, unnecessary to repeat again what has been so often repeated. I have forwarded to Her Majesty's Government copies of all correspondence and notes of all conferences up to my departure from Tien-tsin on the 8th of September. Her Majesty's Government will now be similarly informed of all that has passed in speech or writing since that date. Whether I am justified in asserting that I have been trifled with, Her Majesty's Government, with this information before it, will be well able to judge.

I shall proceed at once to withdraw the Legation, and I shall instruct Her Majesty's Consuls at the ports of Tien-tsin and Newchwang to give notice to the British communities at those ports that they must retire before the rivers are closed. The members of these communities will file inventories of such property as they may be unable to take away in their respective Consulates, and compensation for any loss they may sustain will be claimed in due time of the Chinese Government.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 59.

Mr. Wade to the Prince of Kung.

October 2, 1875.

Sir,

THE foregoing communication was ready for transmission to your Imperial Highness yesterday, but I kept it back for a particular reason.

It is needless to review all that passed between my visit to the Yamên on the 25th, when I renewed negotiations on the subject of the three guarantees, and my receipt of your Imperial Highness's note on the evening of the 29th.

I briefly acknowledged this note on the 30th, promising to write presently at greater length. In the meantime, as it was stated in your Imperial Highness' despatch that Mr. Hart had been directed to consider the question of taxation of trade carefully and in detail, I requested that gentleman to inform me what instructions he had received. He answered none, but, as it was possible there might be some misunderstanding on the point, he begged me to take no further step until he should have spoken to the Ministers of the Tsung-li Yamên. I consented, and, according to a letter from him now lying before me, he waited upon their Excellencies upon the 30th of September and the 1st instant.

What was said to Mr. Hart by the Ministers who received him on both days has, of course, been reported to your Imperial Highness, and there is but one part of the conversation to which I propose to refer. Mr. Hart was informed yesterday, the 1st instant, by the Ministers Tung and Ch'ung that, as a concession, the import trade might be freed from "li-kin" taxation within the limits of the foreign settlements, and that, to balance this boon, the old interdict upon foreign trade in bean-cake at Chefoo and Newchwang would be reimposed. This, their Excellencies informed Mr. Hart, was the positive decision of the Grand Secretary Wên-siang.

Now, the removal of the prohibition referred to was granted under circumstances which I well remember. Ningpo had fallen into the hands of the Taeping rebels in the month of December 1861, and great fear was entertained at Peking that they would make a dash at the Taku forts, which, at the time I speak of, were still occupied by the troops of England and France.

The Grand Secretary Wênsiang asked me if Sir F. Bruce would guarantee the forts against capture by the rebels, and Sir F. Bruce undertook to guarantee them provided the trade in bean-cake at the ports above-named were thrown open. An Imperial Decree approving the opening of the trade to foreign shipping was issued on the 19th February, 1862, and was communicated to the foreign Legations in a despatch from your Imperial Highness, dated the 22nd February.

The concession was formally confirmed, first, in the year 1863, by the exclusion of the interdict from Rule V of the Supplementary Regulations appended to the Danish Treaty; and similarly in the year 1869, when the Austro-Hungarian Treaty was negotiated.

Whether under these circumstances the Powers whose nationals are interested in the bean-trade would consent to their abrupt exclusion from the trade, is a question of which the consideration may well be postponed. The intimation, at the same time, of the possibility of such a measure, especially at this juncture, is by no means without significance.

The positive decision of the Grand Secretary Wênsiang, communicated thus formally to the Inspector-General of Customs, amounts to this, that certain taxes upon trade, which have been protested against as being imposed in violation of Treaty, shall, as a favour, be laid no longer upon the trade in a certain limited area occupied by foreign communities within which area no trade exists, and that, as a set-off against this favour, a privilege, conceded in exchange for an important service rendered the Chinese Government, and subsequently confirmed to the foreigner by Treaty, shall be withdrawn.

If the positive decision of the Grand Secretary Wênsiang represent the positive decision of the Chinese Government, I can only say that no words could better substantiate the charge of trifling so deprecated in your Imperial Highness's despatch of the 29th September.

(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 59.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, October 4, 1875.

THE Prince received on the 2nd instant the British Minister's two despatches, dated respectively the 1st and the 2nd instant; in the first of which he states that he is about to withdraw the Legation at once from Peking; and in the second he refers to a statement of the Ministers Tung and Ch'ung to the Inspector-General of Customs, Mr. Hart, as to a positive decision on the part of the Grand Secretary Wênsiang in connection with the interdict on the bean-trade at the northern ports, the reimposition of which was to counterbalance the withdrawal of the li-kin tax from the settlements at the ports. This, it was observed, was a sufficient testimony to the truth of the British Minister's statement that he was being trifled with.

The Prince has questioned the Ministers Tung and Ch'ung, who state that, in their conversation with Mr. Hart on the day referred to, neither of them uttered a syllable with reference to the bean-trade; and that, although the Tsung-pan Tung, who did deliver a message from the Grand Secretary, referred, when speaking with Mr. Hart on the question of li-kin, to the circumstances connected with the removal in times past of the interdict on the bean-trade, the Grand Secretary's meaning was not as is represented in the despatch received from the British Minister.

The expression "positive decision" [was used in this wise]. The Grand Secretary, while lying ill at his private residence, after concluding what he had to say to the Tsung-pan Tung, added that in all arrangements that it was proposed to make, his positive decision was that, as a first essential, injurious consequences must be guarded against. This was a general observation, embracing the whole subject. The Grand Secretary Wênsiang has addressed a separate note on this subject to the British Minister, and furthermore, the Ministers Tung and Ch'ung have confronted their statements, in an interview at the Yamên, on the 3rd instant, with Mr. Hart, in a manner perfectly distinct. Abundant testimony is thus forthcoming in support of the Prince's statement in his despatch of the 29th ultimo, that there has been no disposition, even in the least possible degree, to trifle with the matter.

The reply he has to make to-day to the British Minister's communication of the 1st instant, is simply a repetition of the words he used in his despatch of the 29th

ultimo, viz., that there is no time or subject at or with reference to which he is otherwise than willing to negotiate with the British Minister.

He accordingly forwards this reply for the British Minister's information.

Kwang Sü, 1st year, 9th moon, 6th day.

No. 60.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 26, 1875.

MR. MAYERS waited on the Grand Secretary Li, as in my previous despatch of this date I stated that it was agreed he should, on the morning of the 5th instant. His Excellency had been in the Palace since an early hour, and my demand had been warmly discussed. Before noon, however, came the note from the Prince, receipt of which I had impressed on his Excellency Li was the condition of my remaining for another day or two. I inclose translation of the semi-official note, and of my reply to it, in which I acknowledged His Imperial Highness' communication of the 4th instant.

In the afternoon Mr. Hart brought me the drafts of the two despatches I had required, and as soon as my replies could be translated, drafts of these were handed him for transmission to the Yamèn. He was so good as to charge himself with these papers, and, in the course of the following day, the 6th instant, I received formal copies from the Yamèn, and answered them accordingly. I inclose translations and copies of the four notes thus exchanged.

Upon the 9th I received a return visit from the Grand Secretary Pao, and the Ministers Tung, Ch'ung, and Hsia, and later in the day the inclosed despatch from the Prince of Kung, embodying the expected Decree. Appended to it was the Yamèn's Memorial, translation of which, in print, is also inclosed.

I replied the following morning, taking care to observe that, in a telegram that had reached me only on the 6th instant, your Lordship had desired me to repeat that the fullest inquiry into the Yunnan outrage was expected, and that I was now about to proceed to Shanghai to give Mr. Grosvenor his instructions. I was particular in mentioning that these would certainly direct him to Manwyne, and, if he saw fit, to Bhamo.

Inclosure 1 in No. 60.

The Prince of Kung to Mr. Wade.

(Translation.)

October 5, 1875.

THE Prince writes specially to inform Mr. Wade that the Grand Secretary Li has just now carefully considered with the Prince the question relating to a distinct declaration on the subject of protection [as guaranteed] by Treaty, which formed the subject of conversation yesterday between Mr. Wade and the Grand Secretary; and he has to state that the step of laying a Memorial representing [the question] before the Throne is one which the Yamèn can, in fact, undertake. The language to be used in the Memorial, however, calls for more than ordinary care and forethought, and it will be necessary to draft the document with such due consultation on the part of the Ministers of the Yamèn as shall be conducive to a beneficial issue. So soon as the draft shall have been finally decided upon, the Memorial can be prepared for presentation to the Throne.

In forwarding this note, the Prince avails himself, &c.

Inclosure 2 in No. 60.

Mr. Wade to the Prince of Kung.

Sir,

Peking, October 5, 1875.

I HAVE the honour to acknowledge your Imperial Highness' communication of the 4th instant, which I received yesterday, and I have now to thank your Imperial Highness for the semi-official note of this afternoon. I am gratified by your Imperial Highness' promise that there shall be submitted to the Throne a Memorial on the subject of passports, in the sense I had represented to the Grand Secretary Li I should require when his Excellency was at the British Legation yesterday. As I observed to

the Grand Secretary, the essential is that a reference should be made to the attack on a British Mission travelling in Yünnan provided with passports and the murder of their interpreter.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 60.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, October 6, 1875.

WITH reference to the question of trade on the frontier of Yünnan, the Yamên of Foreign Affairs has already consented to negotiate with a view to arrangements on this subject, as the British Minister was given to understand on the 29th of September. The Prince has now to state that it will hereafter be the duty of the Chinese Government to appoint an officer to proceed to the Yünnan frontier to examine the conditions under which the trade is carried on. On the other part, it will be the duty of the British Government to appoint an officer to proceed to the same locality and join with the officer deputed by the Chinese Government in making a careful investigation. After this shall have been done, the Yamên and the British Minister will confer together with a view to the due establishment of regulations, and the action thereupon.

This communication is accordingly forwarded for the information of the British Minister.

Kuang Sü, 1st year, 9th moon, 8th day.

Inclosure 4 in No. 60.

Mr. Wade to the Prince of Kung.

Sir,

Peking, October 6, 1875.

I HAVE the honour to acknowledge receipt of your Imperial Highness' despatch of this date, regarding the trade on the Yünnan frontier, which, in the accompanying Chinese version, I quote at length.

I accept the engagement given in this despatch as satisfying the conditions required in my correspondence on the subject referred to.

On my part I engage that, until the inquiry into the Momein outrage be completed, the Mission from India, for which I have already obtained passports, will not be sent to Yünnan.

I renew to your Imperial Highness the assurance of my most distinguished consideration.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 5 in No. 60.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, October 6, 1875.

THE Prince informs the British Minister that, with reference to the rectification of taxation on trade at the Treaty ports, the Yamên of Foreign Affairs wrote on the 22nd of last month to desire the Inspector-General of Customs, Mr. Hart, to come to the Yamên, for the purpose of submitting his views in the matter; and the Yamên has since forwarded him a Memorandum which they had drawn up for him to look over. They have now farther sent him official instructions, desiring him to prepare a Report in detail, based upon this Memorandum. After taking [this Report] into consideration, the Yamên will proceed to consult with the British Minister upon it.

This communication is accordingly forwarded for the British Minister's information.

Kuang Sü, 1st year, 9th month, 8th day.

Inclosure 6 in No. 60.

Mr. Wade to the Prince of Kung.

Sir,

Peking, October 6, 1875.

I HAVE had the honour to receive your Imperial Highness' despatch of this date regarding the taxation of trade, which in the accompanying Chinese version I quote at length.

I accept the promise given in this despatch as satisfying the condition required in my correspondence on the subject referred to.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 7 in No. 60.

*Memorandum of Interview between Mr. Wade and the Ministers of the Yamên.**Peking, October 7, 1875.*

MR. WADE, with the Honourable H. G. Edwardes and Mr. Mayers, called at the Yamên to take leave before proceeding to Tien-tsin, Mr. Edwardes, at the same time, taking leave on his departure for England. The Ministers present were their Excellencies Tung, Shên, Ch'ungchow, and Hsia, with the Tsungpan Tung.

After the usual formalities, Mr. Wade expressed to the Ministers his wish, without in any way hurrying the Prince, to know when the Decree that has been promised should be published. He repeated to the Ministers what Mr. Mayers had been instructed to say in the morning to the Grand Secretary Li, with reference to the position in which he finds himself, the necessity for giving information to the foreign Representatives and the community at Tien-tsin, and reporting to Her Majesty's Government.

The Minister Shên replied, measuring his words very carefully, to the effect that the Memorial would certainly be presented in fulfilment of the pledge given, but that its preparation requires cautious deliberation. It is a document which is to be read not only by foreigners, but by Chinese, and it must be so worded as to content the subjects of the Empire. The draft had not yet been finally decided on, but so soon as this had been done, and the pending stress of business in connection with the Imperial funeral shall permit, it shall be presented. He would commit himself to no statement as regards the probable time when the Decree will be issued.

Inclosure 8 in No. 60.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, October 9, 1875.

THE Yamên of Foreign Affairs, having memorialized the Throne, setting forth a declaration of the Treaty provisions regarding protection to the bearers of passports, the following Imperial Decree was received this day:—

“The Yamên of Foreign Affairs has memorialized us, setting forth in distinct terms the provisions of the Treaties with different countries, and requesting that injunctions be laid upon the Governments of all the provinces to act in obedience [to these stipulations]. [With reference to the privilege enjoyed by] foreigners of travelling in the interior, it is distinctly provided in all the Treaties that passports must be taken out, which must be impressed with a Chinese official seal, and which must be presented for inspection whenever required, whereupon passage will be granted. It is furthermore stipulated that in the event of any unlawful act being committed [by the bearer of a passport], he shall be handed over to the nearest Consul to be dealt with, being subjected only to the necessary restraint while on the journey, but not allowed to be maltreated. Passports are not to be given to any but persons of respectability.

“The Treaty provisions are distinct in the extreme, and there should be no difficulty in attending to them as may be necessary on the part of local authorities. In the case which has lately occurred, of the British Official Interpreter Margary, who has been murdered on the frontier of Yünnan, we have already appointed Li Han-ch'ang as Commissioner to proceed without delay [to the province], in order to ascertain by whom the murder was committed, and to take action. After [the promulgation of the present

Decree], the Governors-General and Governors of all the provinces will be bound to issue instructions to all the local officials under their control, directing them to take cognizance minutely of the intention of the Treaties, [and enjoining upon them that] whenever persons provided with passports enter their districts, it is incumbent upon them to take measures effectively, as may be requisite, in conformity with the Treaty provisions. By this means tranquillity will be secured to Chinese and foreigners alike, and causes of misunderstanding will be prevented from arising."

The foregoing, having been reverently received, a copy, reverently made, as also of the Yamên's Memorial, is herewith forwarded for the information of the British Minister.

Kuang-Sü, 1st year, 9th moon, 11th day.

Inclosure 9 in No. 60.

Extract from the "Peking Gazette" of October 10, 1875.

THE following Memorial on Foreign Passports was published in the manuscript edition of the "Peking Gazette," of the 10th October:—

"Your Majesty's servants Yi-Sin and others (the Prince of Kung and his colleagues of the Tsung-li Yamên), upon their knees present a Memorial to the Throne. In order to the more perfect exposition of [a provision in] the Treaties with foreign states, they pray your Majesty to issue a Decree directing the provincial Governments to take cognizance thereof; that it may be obediently adhered to, and departure from it avoided.

"They would humbly represent, with reference to the question of foreigners travelling in the interior, that by the express language of the Treaties of the several Treaty Powers, a passport has to be applied for which is sealed by a Chinese authority. Persons holding passports are to produce them for inspection as occasion may demand when they are travelling, and, inspection made, they are to be allowed to proceed, and must not be hindered or detained to their inconvenience. It is farther laid down that where a passport has been lost, or where a passport is not genuine, or where a breach of law is committed [the foreigner concerned], is to be handed over to the nearest Consul, that action may be taken, but that [such a person] is simply to be taken charge of, and is not to be maltreated (or cruelly used). It is farther laid down that passports shall be issued only to respectable persons, or, as in some Treaties it is set forth, that no person not being respectable and of peaceful character is on any account to be given a passport.

"Such are the provisions of the Treaties, which, with slight variations, are, on the whole, identical; their general aim being simply to enable the local authorities to comprehend exactly how the Treaty affects persons carrying passports, and in what manner they are to deal with them under different sets of circumstances.

"In the case of the British interpreter, Margary, who was murdered on the frontier of Yünnan, your servants have had the honour to receive a Decree from your Majesty, directing Li Han-ch'ang to proceed hither, to make inquiry and take action. How it was that he came to be murdered, there will, of course, be no difficulty in establishing. As the water descends, the rock will appear. Meantime, however, while the facts are being ascertained, it is too possible that the authorities in the provinces, not understanding what the Treaty provision really means, may be led by this case to entertain misgivings, each one doubting what course his colleague may pursue (1), and instead of affording protection to persons entitled to it, may abstain from affording such protection for fear of difficulty; or that from the circulation of false statements passed on from one to the other of the common people, some fresh complications may arise. Against either event it is but a duty to take precaution, and it therefore behoves [your servants] to place the truth before the Throne, and to request your Majesty to issue a Decree commanding the high officers in Chihli and the other provinces to transmit orders to the local authorities one and all, to inform themselves without fail of the real meaning of the Treaties, and to take whatever action may be proper under this or that set of circumstances; that so (2) both native and foreigner may be set at ease.

"The Treaties of the different Treaty Powers have earlier been forwarded by your servants' Yamên to the provincial Governments, and if your Majesty now approve (the prayer of their memorial), the Yamên will farther forward to the provinces copies of the articles contained in the several Treaties in which the protection of persons travelling under passport, and other proceedings affecting them, are provided for, with instructions

that orders be passed on to the local authorities to act uniformly in accordance therewith.

“Upon their statement of the reasons why the Treaty provision should be more perfectly explained (or declared), prostrate they beg the sacred glance of their Majesties, the Emperress and the Emperor.

“A respectful memorial.”

Inclosure 10 in No. 60.

Mr. Wade to the Prince of Kung.

Sir,

Peking, October 10, 1875.

I HAVE the honour to acknowledge your Imperial Highness' communication of the 9th instant, inclosing copies of an Imperial Decree upon the better observance of the Treaty provisions regarding passports, and of the Memorial of the Tsung-li Yamèn, requesting that Decree.

I shall have much satisfaction in informing the Earl of Derby that I have received these papers from your Imperial Highness.

In a telegram which reached this on the 6th instant, his Lordship has desired me to repeat that the fullest inquiry into the Yünnan outrage is expected, and I shall be happy to be able to state in reply that Mr. Grosvenor is about to start at once for Yünnan.

I go to Shanghai myself to-morrow to give Mr. Grosvenor his instructions, which will be in sum as follows:—He will, in the first instance, of course proceed to Yünnan-fu, where, I presume, he will find his Excellency Li Han-ch'ang. He will subsequently, as soon as it seems to him good, move on to Manwyne, if for no other purpose, to collect the remains of the unfortunate Mr. Margary. He will then, at his discretion, either return through China to Hankow, or he will cross the frontier to Bhamo, following the line taken by Mr. Margary last January. In the latter case, Mr. Grosvenor will communicate with the Agent of the Government of India resident at Bhamo, and, as in the case of Mr. Margary, a guard will be sent to the Burmese frontier to meet him. Your Imperial Highness has already assured me, in your despatch of the 22nd August, that whenever, at any future date, British officers holding the passports that have been given, shall undertake the journey from Yünnan to Burma, orders shall certainly be given to the authorities on the spot to afford them active protection, enabling them to pass out of [Chinese] territory in peace and safety; and I cannot doubt that all necessary instructions on the subject will have been sent to Yünnan.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

No. 61.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 27, 1875.

IN the interview with the Grand Secretary Paoyün, alluded to in the foregoing despatch of this date, I took occasion to recommend that, as two months had now elapsed since the Envoys Kuo Sung-tao and Hsü Ch'ien-shên had been appointed, their mission to England had now better be delayed until the Yünnan case was concluded.

The Grand Secretary and his colleagues appeared to acquiesce in the propriety of this course.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

No. 62.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 27, 1875.

ON my arrival here on the 17th instant, I wrote to the Consul, Mr. Medhurst, instructing him to notify publicly that arrangements had been made that would admit of Mr. Grosvenor's immediate departure for Yünnan. Having learned that great expect-

ations had been entertained of an immediate extension of the privileges of trade from the operations of a Convention I was supposed to have signed, I thought it right to disabuse the community of this impression, and I took occasion to repeat what there is a constant tendency out here to forget, that, with a trade regulated by provisions common to all the Treaties, and defined in nearly identical language in the Treaties, it is not competent for the British Minister any more than for the Minister of any other Treaty-Power, single-handed, to negotiate any conditions that will modify the existent Treaty provisions; or, more exactly, to negotiate conditions that will be operative. Unless it had formally accepted the changes agreed to, any one Power, no matter how insufficient its share of the China trade, would, in most instances, be able to neutralise the effect of any new provision though assented to, it might be, by all the Powers most interested in commerce.

I inclose copy of the despatch which I authorized Mr. Medhurst to publish.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 62.

Notification.—No. 18 of 1875.

THE Undersigned has much pleasure in publishing for general information the accompanying copy of a despatch just received from T. F. Wade, Esq., Her Britannic Majesty's Minister Plenipotentiary, &c., &c.

(Signed) W. H. MEDHURST, *Consul.*
Her Majesty's Consulate, Shanghai, October 17, 1875.

Sir,

Shanghai, October 17, 1875.

I HAVE to request you to state, for the information of Her Majesty's subjects at this port, that arrangements have been made which enable me to allow Mr. Grosvenor to proceed without farther delay to Yunnan, in order that he may be present at the investigation of the circumstances of the attack on Colonel Browne's Mission and the murder of Mr. Margary.

Mr. Grosvenor's long detention, and the fact that I was known to be engaged in negotiations bearing more or less on the matter of his Mission, have not unnaturally excited apprehensions which will, I hope, be set at rest by the announcement I have authorized you to make.

I should not here refer farther to the negotiations in question, did I not conceive it expedient to set speculation on our point at rest. I hear it rumoured that I have signed a Convention by which British Trade was to be materially influenced.—This is not the case; I have availed myself of the opportunity to insist very earnestly upon the duty of more perfectly observing various Treaty provisions, indifference to which has been so frequently matter of complaint; notably of those that bear upon the taxation of our trade. Were the conditions of the Treaty, as it stands, to be fulfilled, there would, of course, be no occasion for a Convention. Were it shown to be expedient to modify the existing conditions of the Treaty affecting trade, a Convention would be, doubtless, necessary. But no Convention could be operative, that had been negotiated by myself, or the Representative of any Treaty-Power, single-handed. Foreign Trade in China is a common property, changes in the regulation of which, to be effective, must have been duly considered and accepted by all alike. What I have striven to obtain, therefore, in this direction, is a formal engagement on the part of the Chinese Government that enquiry should be made into the question of Taxation of Foreign Trade, whether at the Consular Ports or beyond their limits, and that a report should be prepared on which, were it found otherwise impossible to rectify practices at present objected to, modification of existent conditions might be negotiated. An engagement by which I hope that the desired object may be attained has been conceded.

You are at liberty to publish this despatch.

Your obedient servant,
(Signed) THOMAS FRANCIS WADE.

W. H. Medhurst, Esq.,
&c. &c. &c.

No. 63.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 27, 1875.

ON receipt of your Lordship's reply of the 21st to my telegram of the 18th instant, I wrote to communicate to the Prince of Kung the message I was desired to give him. I have the honour to inclose copy of my note to His Imperial Highness.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 63.

Mr. Wade to the Prince of Kung.

Sir,

Shanghai, October 22, 1875.

I HAVE the honour to acquaint your Imperial Highness that I arrived at this Port on the 17th instant. Upon the 18th I telegraphed to the Earl of Derby that, as I had already reported on the 26th August, a Mission was to be sent by the Chinese Government to England, but that I had recommended the Government not to send it until the inquiry in Yünnan should be ended. I expressed myself in this sense to the Government Secretary Paoyün, and the Minister who did me the honour to call upon me on the 9th instant, and I cannot doubt that they will have repeated what I said to your Imperial Highness.

I had already, on the 8th September informed his Lordship of your Imperial Highness's written promise regarding the safe conduct to and from the Yünnan frontier, of the mission of inquiry I was waiting to despatch, or of a mission from India, should the Government of India see fit to send one. In my telegram I referred to this promise. I added that, on the 28th September, there had been issued an Imperial Decree on the subject of intercourse between Foreign Ministers and the heads of State Departments, which, with the memorial of the Tsung-li Yamên on the same subject, had appeared in the Peking "Gazette." I stated further that Mr. Hart, the Inspector General of Customs, had been instructed to prepare a report upon the taxation of foreign trade, and that a Chinese officer, when the time arrived, would be appointed to confer with an officer of the British Government, in order to the regulation of the trade between Yünnan and British Burma. I added at the same time that I had engaged that no British officer would be sent to Yünnan for the above purpose, until the inquiry, at which Mr. Grosvenor is proceeding to the province to assist, was over. Lastly, I informed his Lordship of the publication of the Memorial and Decree of the 10th instant, upon the passport question, in which allusion was made to the murder of Mr. Margary, and the special appointment of the Governor-General Li, for an investigation into the circumstances of this atrocity. Mr. Grosvenor and his mission would now proceed immediately to Yünnan.

In a telegram received this afternoon, Lord Derby informed me that in claiming what has thus been conceded, my conduct is entirely approved by Her Majesty's Government; that the guarantees agreed to appear to Her Majesty's Government satisfactory, inasmuch as that, if these conditions be faithfully carried out, they will show a willingness on the part of the Imperial Government to atone for the injury done to a friendly power, while they will at the same time insure a better state of relations between England and China for the future.

I am instructed by Lord Derby to communicate the opinion of Her Majesty's Government, as above expressed, to your Imperial Highness. I am further to state that Her Majesty's Government will watch attentively the manner in which the engagements now entered into by the Chinese Government are carried out, and that the re-establishment of a good understanding will depend on the fidelity with which its promises are performed.

I avail, &c.

(Signed) THOMAS FRANCIS WADE.

No. 64.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 27, 1875.

IN my telegram of the 25th instant, I informed your Lordship that I had attached Mr. Davenport to Mr. Grosvenor's Mission. I have the honour to inclose copy of my

instructions to Mr. Davenport. He is one of the few members of the service who have studied law *con amore*, and I believe that, in the work of collecting and examining evidence, his experience as Assessor of the Mixed Court at this port will make him specially useful. I had originally contemplated putting a Consular Officer at the head of the Mission to Yünnan, and Mr. Davenport was the officer I should have selected. I changed my purpose only because I thought the duty one which should properly devolve upon a Secretary of Legation, especially a Legation with so strong a Diplomatic staff as my own.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

P.S.—Mr. Davenport has had but a week to get ready, and it is due to him to state that no one could have lost less time in making preparation for so long a journey.

T. F. W.

Inclosure in No. 64.

Mr. Wade to Mr. Davenport.

Sir,

Shanghai, October 22, 1875.

IT is my desire that you should proceed at once to Yünnan, as a member of the Mission which, as you are aware, is about to start for that province, for the purpose of being present at an investigation of the circumstances attendant on the attack on Colonel Browne's party, and the murder of Mr. Margary last February. The head of the Mission, as you are also aware, is the Honourable Thomas Grosvenor, Second Secretary of Legation. The chief authority in all matters is vested in Mr. Grosvenor, who is accompanied by Mr. Baber, a very competent interpreter. I have decided on attaching you to his mission, for reasons which I shall state below.

From the reports supplied to the Government of India, and embodied in a despatch from me to the Prince of Kung, copy of which is in Mr. Grosvenor's hands, there is the strongest reason for inferring that the attack on Colonel Browne's Mission was deliberately planned and carried out by Chinese officials. The murder of Mr. Margary was to all appearance but a part of the outrage contemplated. It will be Mr. Grosvenor's charge to trace home both these acts to their instigators and perpetrators,—a task of great difficulty. It may too possibly happen that the conduct of the inquiry, in what we should consider judicial form, will prove impracticable; but, be this as it may, it has occurred to me that both in the collection and examination of evidence, on which, whether it be produced in Court or not, conclusions more or less judicial in character will have to be based, your experience as Assessor in the Mixed Court here, your acquaintance with law, and your knowledge of Chinese, may make your assistance valuable to Mr. Grosvenor. He, I repeat, must be regarded as the head of the mission; and should he have need of your services otherwise than in the direction above indicated, I feel confident that they will be freely rendered.

Regarding your expenses or other details, I beg to refer you to Mr. Grosvenor, my instructions to whom on all points must also be your guide.

(Signed) THOMAS FRANCIS WADE.

No. 65.

Mr. Wade to the Earl of Derby.—(Received December 12.)

My Lord,

Shanghai, October 27, 1875.

MR. GROSVENOR, as my telegram of the 25th instant will have informed your Lordship, started for Hankow upon the 24th. By the time his preparations are complete, Mr. Davenport will have joined him.

I have the honour to inclose copy of my instructions to Mr. Grosvenor, and of a note I have addressed to the High Commissioner Li, which Mr. Grosvenor will deliver to his Excellency.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 65.

Mr. Wade to Mr. Grosvenor.

(Extract.)

Shanghai, October 23, 1875.

THE difficulties that had delayed the departure of your mission to Yünnan having been removed, I am enabled at last to give you your final instructions.

In the first place, I have decided to reinforce your staff by the addition of Mr. Davenport, Vice-Consul at this port. As Assessor of the Mixed Court here, Mr. Davenport has been long associated with the Chinese Magistrate Chên, who, as you are aware, has been attached to the High Commissioner Li Han-chang, for the purpose of assisting him in the inquiry which you are deputed to watch. The Magistrate Chên is a man of limited capacity, but, his antecedents considered, I incline to view his appointment favourably rather than otherwise. In any case, Mr. Davenport's long acquaintance with him will be useful, while his experience as Assessor, his conversance with law, and his knowledge of the language, will make him a valuable coadjutor. I have, at the same time, as I have stated in my letter of instructions to him, every confidence that, should you have need of his services otherwise than in the direction indicated, they will be cheerfully rendered.

It is not in my power to assign either Mr. Davenport or Mr. Baber a higher rate of salary than they are now receiving. It will rest entirely with the Secretary of State to decide hereafter, whether, while employed in the special service in which they are engaged, special emoluments are to be allowed them. The expenses of all attached to the mission—officers, Chinese employés and servants—will be charged by you against a fund which I have placed in the hands of Mr. Medhurst, Her Majesty's Consul at this port. He has been authorized to draw for the use of your mission the sum of 10,000 dollars.

The Chinese writer who goes with Mr. Baber and the servants of the mission will be paid the wages laid down in the Memorandum appended.

I append also a Memorandum of papers in English and Chinese selected from correspondence relating to the Yünnan outrage, with other documents that may prove useful to you. You will also have with you fifty copies of the Treaty. I wish you to give these away to officials or lettered men, especially to those inhabiting out-of-the-way places. Many of these are ignorant of the very existence of the Treaties. You will find opportunities, I do not doubt, for attracting attention to the fact that Treaties do exist, and of presenting copies of ours, undemonstratively, to those who wish to receive them.

Amongst the papers selected is a Memorandum of my instructions of the 7th August, 1874, to Mr. Margary, which, although the circumstances of your mission are different, it may be of some advantage to consider.

As to the line you are to take, I approve your selection of the Chung-küing route, the more that your Chinese companion, Sung Pa-hua, has arranged that another mandarin is to meet you at Kuei-chou Fu. You will spare no pains, I am satisfied, to reach the provincial capital of Yünnan with the least possible loss of time.

On your arrival there, you will, of course, put yourself in communication with the High Commissioner Li. I inclose a letter to him, the English text of which has been added to the papers before adverted to. According to the Grand Secretary Li, you will remember, the brother mandarin Li hsieh-t'ai has been for some time under arrest at Yünnan Fu. It is to be expected, also, that other arrests will have been made, and that some person or persons will be ready for production as having been concerned in the murder of Mr. Margary. The character of the attack on Colonel Browne's party will probably be disputed. Notwithstanding all that has been stated in my despatch of the 20th August to the Prince of Kung, which, in effect, will be your brief, you must be prepared for a repetition of one or other version of the story that has been put forward at Peking—such as that the assailants were savages, whose cupidity was excited, or simple people who knew no better, or rebels disguised as Government troops. The Grand Secretary Li, you will recollect, contends that they were *tuan lien* militia, or train-band men. This it is not impossible that they were, and were the fact established, the responsibility of some authority or other would scarcely be less than if they had been regulars of the provincial army. The irregularity of the force at the same time would in no way discredit the statements contained in the letters of the Burmese official cotton agents, which are the most important evidence implicating the Chinese Government.

You will do well to keep yourself in reserve, and to allow Messrs. Davenport and

Baber to attend at the trial or examination of the Chinese. The High Commissioner will certainly not take more than a formal part in the proceedings, and this, probably, at their close. If convictions be obtained, Mr. Baber should be deputed to see any sentence, such as of death or corporal punishment, which you may accept at first, carried into effect. No sentence to summary punishment will be passed, you may be sure, upon an official, should any be arraigned. If none be, you must be guided by your opinion of the evidence collected as to whether you should claim the examination of any.

Before Chinese law, the Tsung-ping and the T'ung-pan of Momein in office in February last, are guilty, if of nothing worse, at least of not having prevented the attack on Colonel Browne's party. The High Commissioner will, of course, have received their written reports, and copies of these, for form's sake, you should demand, and as matter essential to the preparation of your report of the case.

In either case, whether the proceedings so terminate as to justify your declaring yourself satisfied, or whether you find yourself obliged to protest against them as unsatisfactory, you will claim fulfilment of the Prince of Kung's promise that you shall be escorted to the frontier. You will take the Manwyne route, halting in Manwyne to collect Mr. Margary's remains. You will, of course, avail yourself of the opportunity to learn what you can, and as soon as the Government of India's Agent at Bhamo can send an escort for you, you will proceed to Bhamo, and thence to Rangoon.

I hope that you will be able to open communications with the Agent at Bhamo from Yünnan Fu. You will request him to cause anything of importance to be telegraphed to me from Mandalay. You will telegraph to me from Mandalay the result of your mission, and await my reply either there or at Rangoon.

As regards your staff, I leave you a discretion. Mr. Davenport and Mr. Baber should both accompany you to Manwyne; but I leave it to you then to decide whether either or both shall proceed with you to Rangoon, or return through China, and if the latter, whether the return route shall be by Chungkiang, by Knei Chou and Hu Nan, or by Nanning Fu and Kuang Si.

The year will be well on before your work is done, and it may be too late for the long land journey through China. Whatever may be your decision, I wish you not to lose sight of the object of the Government of India in sending the Mission last year. It was a Mission of exploration, and as far as it may be possible it will be the duty of all of you to collect information, and this is the one reason why I should be glad if Mr. Davenport and Mr. Baber would return overland.

I shall hope to hear from you as frequently as possible. With the aid of Sung Pao-hua the transmission of letters should be unattended with difficulty.

Lastly, I have to request that a journal be kept of all occurrences, from the day you leave Hankow, the names of persons being always written when they are first mentioned in Chinese character.

Inclosure 2 in No. 65.

Mr. Wade to the Imperial Commissioner Li Han ch'ang.

October 23, 1875.

MR. WADE presents his compliments to the Imperial Commissioner Li Han ch'ang.

This note will be delivered to his Excellency by Mr. Grosvenor, Second Secretary of Legation, who, as his Excellency is aware, has been selected by Mr. Wade to be present at the inquiry which the Chinese Government has promised should be instituted into the circumstances connected with the attack on a Mission from the Government of India, travelling under passports in Yünnan, last February, and the murder of Mr. Margary, the interpreter, who had been sent by Mr. Wade to meet the Mission in question.

In reparation of this outrage, Her Britannic Majesty's Government demands the punishment of those who instigated and took part in it, and it is to the establishment of the truth that, according to an Imperial Decree dated the 9th instant, his Excellency Li has received a special Commission.

In a telegram which reached Mr. Wade on the 6th instant, the Earl of Derby, Principal Secretary of State for Foreign Affairs, instructed Mr. Wade to repeat that the fullest inquiry into the circumstances of the Yünnan outrage is looked for; and in

a second telegram received by Mr. Wade on the 22nd, he is again desired to state that Her Majesty's Government will watch with attention the manner in which the promises given by the Chinese Government, in evidence of its good faith, are performed, and that the re-establishment of a good understanding will depend on the fidelity with which the engagements of the Chinese Government are observed. The engagements referred to are those negotiations of which with the Tsung-li Yamên has occupied Mr. Wade for the last two months, the end of all being to ensure that the circumstances of the crime of February last shall be duly investigated, and the persons responsible punished. It is to prevent all after question upon this point that Mr. Grosvenor is sent to Yünnan. It is essential for the satisfaction of Her Majesty's Government that there should be no doubt as to the identity of persons who may be brought to trial, or the credit of statements that may be made either for the prosecution or the defence.

Mr. Wade has informed the Prince of Kung that Mr. Grosvenor will proceed in the first instance to the provincial capital, Yünnan Fu, to place himself in communication with his Excellency Li. As to the time he may remain there Mr. Grosvenor will be authorized to use his discretion. The length of his stay will be regulated by circumstances.

The Prince has been further informed that when he decides on leaving Yünnan Fu, Mr. Grosvenor will move on to Manwyne, if for no other purpose, to collect the remains of Mr. Margary, who was murdered in or near that town. Mr. Grosvenor will then, as he sees fit, either return through China to Hankow, or he will cross the frontier to Bhamo, following the line taken by Mr. Margary in January.

In a despatch dated the 22nd August, the Prince of Kung has promised that, whenever a British officer holding passports shall undertake the journey from Yünnan to Burma, orders shall certainly be given to the authorities on the spot to afford him protection. Mr. Grosvenor is supplied with a copy of the Prince's despatch referred to, and if he decides to return by Bhamo, he will apply to his Excellency Li to take the necessary steps. He will, at the same time, communicate with the Agent of the Indian Government who is stationed at that place; and, as in the case of Mr. Margary, the Agent will see that a guard be sent to the Burmese frontier to escort him and those with him to Bhamo.

Mr. Wade cannot too strongly impress upon his Excellency Li the necessity of assisting Mr. Grosvenor to accomplish his mission in every particular.

The crime committed in Yünnan has naturally excited the indignation of Her Majesty's Government and subjects, and a suspicion that, either in the conduct of the investigation or in his subsequent movements, Mr. Grosvenor had not received from his Excellency the assistance which, from the nature of this mission, he is entitled to look for, would hardly fail to be productive of the gravest consequences.

Mr. Grosvenor will be accompanied by Mr. Davenport, Vice-Consul of Shanghai, and by Mr. Baber, an Interpreter of the Consular Service. These gentlemen will proceed with Mr. Grosvenor to Burma or return through China as he may see fit to direct.

No. 66.]

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 27, 1875.

IT would be a serious omission on my part were I to close the long series of papers that I am forwarding to your Lordship by this mail, and not to record my sense of the great service rendered me by Mr. Hart, the Inspector-General of Customs, during the latter part of the discussion happily terminated by the Prince of Kung's concession of what I had asked for.

I am bound to say that I have known no instance in which he has felt such or such a course to be to the advantage of the common interest of China and foreign nations that he has not urged its adoption upon the Tsung-li Yamên. Such progress as China is making is due, doubtless, to a combination of causes, but among foreigners I do not hesitate to say that no one has individually contributed to her advancement in the same proportion as Mr. Hart.

No. 67.

Mr. Wade to the Earl of Derby.—(Received December 12.)

(Extract.)

Shanghai, October 28, 1875.

I HAVE decided on sending home Mr. Edwardes with the voluminous correspondence now forwarded to your Lordship. Mr. Edwardes has been with me throughout the somewhat stormy discussion in which I have been engaged for the two months preceding my departure from Peking, and I cannot doubt that on many points the explanations of an eye-witness will be found useful.

No. 68.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 15, 1875.

I APPROVE the note of which a copy is inclosed in your despatch of the 21st of October,* which you addressed to Prince Kung on the 27th of September, relative to a report which had reached you that the people of Yünnan were being excited against Mr. Grosvenor's Mission.

I am, &c.
(Signed) DERBY.

No. 69.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 15, 1875.

I APPROVE of your having recommended the postponement of the Chinese Mission to this country until after the conclusion of the Yünnan inquiry, as reported in your despatch of the 27th October.†

I am, &c.
(Signed) DERBY.

No. 70.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 15, 1875.

I APPROVE the despatch, of which a copy is inclosed in your despatch of the 27th of October,‡ which you addressed to Mr. Medhurst on the 17th of that month, authorizing him to notify publicly that arrangements had been made that would admit of the departure of Mr. Grosvenor's Mission to Yünnan.

I am, &c.
(Signed) DERBY.

No. 71.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 15, 1875.

I APPROVE the note, of which a copy is inclosed in your despatch of the 27th of October,* which you addressed to Prince Kung on the 22nd of the same month, communicating to His Highness the substance of my telegram of that date.

I am, &c.
(Signed) DERBY

* No. 56.

† No. 61.

‡ No. 62.

§ No. 63.

No. 72.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 15, 1875.

I APPROVE of your having attached Mr. Davenport to Mr. Grosvenor's Mission to Yünnan, as reported in your despatch of the 27th of October.*

I am, &c.
(Signed) DERBY.

No. 73.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 15, 1875.

I HAVE had under my consideration your despatch of the 27th of October,† forwarding a copy of the instructions with which you furnished Mr. Grosvenor for his guidance during his mission to Yünnan, and of a note addressed by you to the High Commissioner Li Han Chang; and I have to express to you my entire approval of these papers.

I am, &c.
(Signed) DERBY.

No. 74.

Consul Medhurst to the Earl of Derby.—(Received December 18.)

(Telegraphic.)

Shanghai, December 15, 1875.

ADVICES from Grosvenor dated December had reached I-chang-fu. To proceed on 2nd. All well.

No. 75.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, December 23, 1875.

I HAVE received your despatch of the 27th of October,‡ calling attention to the services rendered to you by Mr. Hart, the Inspector-General of Customs at Peking, during your discussions with the Chinese Government in regard to the Yünnan affair, and I have to request you to inform Mr. Hart that Her Majesty's Government highly appreciate the assistance given by him towards the maintenance of friendly relations between Great Britain and China.

I am, &c.
(Signed) DERBY.

No. 76.

Consul Alabaster to the Earl of Derby.—(Received December 27.)

My Lord,

Hankow, November 6, 1875.

I HAVE the honour to forward herewith a copy of a despatch which I have addressed to Her Majesty's Minister at Peking, reporting the departure from Hankow of the Honourable Mr. Grosvenor's Mission to Yünnan.

I have, &c.
(Signed) C. ALABASTER.

* No. 64.

† No. 65.

‡ No. 66.

Inclosure in No. 76.

Consul Alabaster to Mr. Wade.

Sir,

Hankow, November 5, 1875.

I HAVE the honour to report the departure of Mr. Grosvenor's Mission this morning at 10 A.M.

They are accompanied by two native gun-boats, and a special officer has been directed to see them to the limits of the Province.

Everybody left in good health, and with every prospect of a pleasant voyage, at least as far as Ichang.

I have, &c.
(Signed) C. ALABASTER.

No. 77.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, January 1, 1876.

MR. EDWARDES arrived in London on the 12th of December, and delivered to me your despatches of the 20th to the 28th October.

You will have received by the last mail my observations on the subjects referred to in several of them, but those which contained a detailed account of your negotiations on the Yünnan affair have required more deliberate consideration.

I have now to inform you that your proceedings are approved by Her Majesty's Government, who trust that the concessions which you have obtained will not only secure a full and searching inquiry into the attack on Colonel Browne's mission and the murder of Mr. Margary, but will also lead to an improvement of the relations between Great Britain and China.

Her Majesty's Government, in their anxiety not to press too hardly on the Chinese Government or endanger its stability, have, in many instances, abstained from insisting on the full satisfaction of their claims, and although possessing the means of enforcing them to the fullest extent, have forborne from using those means in the hope that the Government of China would gradually awake to a clear sense of its duties towards foreign powers.

This hope has not hitherto been realized, and you have found it necessary, in dealing with the serious question recently under discussion, to demand certain guarantees, which are duly recorded in the notes and decrees inclosed in your despatches.

The treatment on a proper footing of the Ministers of friendly Powers, the representation of China in this and other foreign countries, the proper protection of foreigners travelling in China, the execution of the Treaty stipulations in regard to trade and other matters, the establishment of commercial relations between India and Western China, are all subjects to which Her Majesty's Government attach great importance, and they have learnt with satisfaction the assurances which have been given to you on these points.

Her Majesty's Government are animated by the most friendly feelings towards the Government and people of China, and have every wish that the relations between the two countries should be of an amicable and peaceful character; but in order that this wish may be realized, there must be evidence of a similar disposition on the part of the Chinese Government, and this disposition they can best show by prosecuting with vigour and earnestness the investigation in Yünnan, and the eventual punishment of the perpetrators of the outrage, and by carrying out the other engagements which they have now taken in a straightforward and friendly spirit.

I am, &c.
(Signed) DERBY.

No. 78.

Mr. Wade to the Earl of Derby.—(Received January 2, 1876.)

My Lord,

Shanghai, November 17, 1875.

I HAVE the honour to forward your Lordship copy of the instructions I have addressed Her Majesty's Consul at this port, regarding communication of such intelligence as he may receive of the progress of Mr. Grosvenor's Mission to Yünnan.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 78.

Mr. Wade to Consul Medhurst.

Sir,

Shanghai, November 17, 1875.

YOU will receive from time to time intimation of the progress of Mr. Grosvenor's Mission to Yünnan. On receipt of such intimation, no matter from what member of the Mission, or by what channel, so long as you are assured of its authenticity, you will be so good as to telegraph to the Foreign Office and to the Viceroy of India to the effect that on such a date the members of the Mission were well, and that things were going on to their satisfaction, or otherwise, according to the report you receive.

Considering the confusion generally attending the attempt to transmit Chinese names even in written correspondence, I think it desirable to avoid their use in telegrams as much as possible. So far as places go, it will be sufficient to mention Chung Kiang on the Great River, and to note the entry of the Mission into the Province of Yünnan, its arrival at Yünnan Foo, as the capital of the Province, and its departure thence when it moves west. After that you may venture, I think, to name Ta-li Foo, Momein (or T'êng Yueh T'ing), and Manwyne. It is more than probable that, even from Yünnan Foo, the Mission will be enabled to communicate with Bhamo. You will always report whatever news you may receive, in writing, to myself, the Viceroy of India, and the Under Secretary of State.

At this port, I wish you to make public the dates of the arrival of the Mission at this place or that, and any particulars you may receive regarding the health of its members, but their proceedings as a Mission must not be published except with my sanction.

The expense of these telegrams you will charge against the fund placed in your hands on account of the Mission to Yünnan.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

No. 79.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, January 8, 1876.

I HAVE received your despatch of the 17th of November,* transmitting a copy of the instructions addressed by you to Her Majesty's Consul at Shanghai relative to the communication of any intelligence which he may receive of the progress of Mr. Grosvenor's Mission to Yünnan, and I have to convey to you my approval of the same.

I am, &c.

(Signed) DERBY.

No. 80.

Consul Medhurst to the Earl of Derby.—(Received January 13.)

(Telegraphic.)

Shanghai, January 12, 1876, 3.20 P.M.

ADVICES from Grosvenor, dated 13th December. Had reached Kwei-Chau-Foo. All well.

* No. 78.

CHINA. No. 4 (1876).

FURTHER CORRESPONDENCE

RESPECTING THE

ATTACK

ON THE

INDIAN EXPEDITION TO WESTERN CHINA,

AND THE

MURDER OF MR. MARGARY.

(In continuation of C. 1422, presented April 1876.)

Presented to both Houses of Parliament by Command of Her Majesty.
1876.

LONDON

PRINTED BY HARRISON AND SONS.

[C.—1605.] *Price 7d.*

72

TABLE OF CONTENTS.

No.	Name.	Date.	SUBJECT.	Page
1	Consul Medhurst	Jan. 17, 1876	Mr. Grosvenor arrived at Chung King on December 30	1
2	To Admiralty ..	27,	Sir T. Wade has asked for naval reinforcement ..	1
3	Consul Medhurst	Dec. 15, 1875	Sends précis of Mr. Grosvenor's journal ..	1
4	Admiralty ..	Jan. 31, 1876	Five frigates can be sent if urgently required ..	3
5	To Admiralty ..	Feb. 3,	Ships should be sent immediately ..	3
6	Admiralty ..	4,	Four frigates ordered to Hong Kong ..	3 ✓
7	To Sir T. Wade	9,	Substance of above ..	4
8	Sir T. Wade ..	Jan. 26,	Decree in "Peking Gazette." Degradation of Li-sieh-tai ..	4 ✓
9	" " ..	Feb. 16,	High Commissioner Li professes to have caught the culprits ..	4 ?
10	" " ..	Dec. 15, 1875	Conversation with Grand Secretary Li as to blame attaching to Ts'ên ..	4
11	" " ..	15,	Correspondence with Prince Kung respecting a Decree in the "Peking Gazette" ..	5
12	" " ..	15,	Remarks on the state of the negotiations ..	12
13	" " ..	16,	Instructions to Mr. Grosvenor ..	13
14	Consul Medhurst	Jan. 13, 1876	Mr. Grosvenor has reached Kwei-chou-fu ..	15
15	To Sir T. Wade	Mar. 1,	Approves No. 10 ..	15
16	" " ..	1,	Approves No. 11 ..	15
17	Sir T. Wade ..	Jan. 7,	Copies of Note and Memorandum sent to Mr. Hart ..	15
18	" " ..	13,	Prince Kung's answers to notes in No. 11 are unsatisfactory ..	18
19	" " ..	13,	Chinese Government is alarmed at manner in which he has received the Decree ..	19
20	Consul Medhurst	24,	Extracts from Mr. Grosvenor's journal ..	19
21	To Admiralty ..	Mar. 15,	Detached squadron should proceed ..	20
22	To Sir T. Wade..	16,	Approves No. 17 ..	20
23	" " ..	17,	Sends letter of credence ..	20
24	Consul Alabaster	Jan. 14,	Arrival of Mr. Grosvenor at Chung King ..	21
25	Sir T. Wade ..	24,	Remarks on anti-foreign feeling, and authority of Central Government..	21
26	" " ..	25,	Further correspondence with Prince Kung ..	22
27	" " ..	26,	Decree in "Peking Gazette," laying blame on Li-sieh-t'ai ..	27 ✓
28	" " ..	26,	New Governor of Yünnan ..	29
29	" " ..	Feb. 2,	Decree in No. 27 is most unsatisfactory ..	29 ✓
30	" " ..	2,	Representations presented through Mr. Mayers ..	31
31	Sir T. Wade ..	3,	Conversation of the Envoy-Designate, Kuo Sung-tao, with Mr. Hart ..	34
32	Admiralty ..	Apr. 12,	Detached squadron has reached Hong Kong ..	35
33	Sir T. Wade ..	3,	Mr. Grosvenor arrived at Yünnan Fu on March 6 ..	35
34	Consul Alabaster	Feb. 19,	Mr. Grosvenor's arrival at Hsü Chow Fu ..	36
35	Sir T. Wade ..	23,	Copies of further correspondence ..	36
36	" " ..	24,	Memorandum presented by Mr. Mayers, and his report of interview ..	39
37	" " ..	24,	Mr. Hillier's conversation with Hsü Ch'ien-shên, the junior Envoy-Designate ..	41
38	To Sir T. Wade	May 4,	Approves instructions to Mr. Grosvenor in No. 35 ..	43
39	Sir T. Wade ..	Mar. 14,	Further correspondence with Prince Kung ..	43
40	" " ..	14,	Two notes to Prince Kung. Lord Derby's despatch (No. 77, "China No. 1, 1876") communicated to him ..	46
41	" " ..	14,	Itinerary of Mr. Grosvenor furnished by Yamên ..	47
42	Consul Medhurst	Apr. 29,	Note from Mr. Grosvenor from Yünnan Fu ..	47
43	To Sir T. Wade	May 11,	Approves notes in No. 39 ..	48
44	" " ..	11,	Approves note in No. 40, respecting route taken by Mr. Grosvenor ..	48
45	Sir T. Wade ..	Mar. 29,	Yamên keep back news of Mr. Grosvenor ..	48
46	To Sir T. Wade .	May 25,	Approves instructions to Mr. Grosvenor in No. 13 ..	48

TABLE OF CONTENTS.

No.	Name.	Date.	SUBJECT.	Page
47	Sir T. Wade ..	May 18, 1876	High Commissioners have reported. Cannot accept their story ..	49 ✓
48	" " ..	Apr. 7,	Yamèn still withholds intelligence from Yünnan ..	49 ✓
49	To Sir T. Wade .	June 14,	To avoid pledging Her Majesty's Government till Mr. Grosvenor's report has been received ..	50
50	To Admiralty ..	29,	Sir T. Wade cannot dispense with detached squadron	50

Further Correspondence respecting the Attack on the Indian Expedition to Western China, and the Murder of Mr. Margary.

No. 1.

Consul Medhurst to the Earl of Derby.—(Received January 17.)

(Telegraphic.)

Shanghai, January 17, 1876.

GROSVENOR party arrived at Chung King 30th December. Will leave again 3rd January. All well.

No. 2.

Lord Tenterden to the Secretary to the Admiralty.

Sir,

Foreign Office, January 27, 1876.

WITH reference to my letter of the 18th instant, I am directed by the Earl of Derby to state to you, for the information of the Lords Commissioners of the Admiralty, that a telegram has been received from Her Majesty's Minister at Peking, suggesting, with reference to the negotiations which he is conducting with the Chinese Government, relative to the Yunnan outrage, the strong reinforcement of the naval forces on the China station. Sir T. Wade appears to consider that a demonstration of physical force will strengthen his hands materially in the present posture of affairs, and I am therefore to request that in laying this letter before the Lords Commissioners of the Admiralty you will move their Lordships to favour Lord Derby with their opinion as to the feasibility of complying with Sir T. Wade's request, and with any observations which may occur to them in regard to it.

I am, &c.
(Signed) TENTERDEN.

No. 3.

Consul Medhurst to the Earl of Derby.—(Received January 31, 1876.)

My Lord,

Shanghai, December 15, 1875.

HAVING been instructed by Her Majesty's Minister to keep your Lordship informed, both by telegram and letter, of the progress made by the mission to Yunnan under the Honourable T. G. Grosvenor, I have the honour to submit the accompanying précis of two journals received from Mr. Grosvenor, covering the period between the 17th November and the 1st December.

I have, &c.
(Signed) W. H. MEDHURST.

Inclosure in No. 3.

Extracts from Mr. Grosvenor's Private Journal.

On the 17th November arrived at Tiao Kuan, 235 miles by river from Hankow. Up to the present everything has favoured our passage, and nothing can exceed the attention shown us by our escort, which consists of Sung pao hua, Liu (official deputy from Hankow), and two Chinese gun-boats. After twelve days of most prosperous journey, we are wind-bound in the most desolate corner of Yangtze. This is our first check. Our course from Hankow has led us through a flat uninteresting country, some of which is evidently flooded in summer; but the greater part is under cultivation, growing much the same grain and plants as the North of China, some of the second crop (buckwheat chiefly) being gathered in at this moment. About three days since our scenery improved as we wound round a range of not very high hills; but we have left even that cheering prospect now, and shall not meet with anything more of interest till we get to the neighbourhood of I-Chang, when our scenery becomes very grand, if one is to trust previous chartists and explorers. The river still continues grand in its proportions, being more than half-a-mile wide even up here. Its waters still remain as yellow as ever, but by dint of alum and filtering, we get clean water to wash in and drink. Once past the opening of the Tung Ting Lake, the water way has a deserted look, for all the trading junks take to the lake by preference; but we have determined to cast ourselves on the Yangtze as a means of transport, as we want to get a glimpse of Ssu-ch'uan on our way to Yunnan.

November 18 finds us on our way again. We tracked slowly all the morning up the northern reach, and since then, as the river bends in a westerly direction, the wind has become favourable, and we are sailing away at a good rate.

November 24th. We have this day reached Sha-shih (sand mart), the great depôt for Ssu-ch'uan junks. It is at this spot that goods are loaded for the more eastern and southern districts. We saw junks made fast to the shore uninterruptedly for nearly two miles around Sha-shih. As soon as we reached this place we made for a pagoda about half-a-mile further up stream, climbed up the inside, and took the best view we could of the surrounding country. The people were wonderfully civil and quiet. I was amazed at the way in which they submitted to being bullied by the Yamên runners, who accompanied us on our stroll.

We left Sha-shih on the morning of the 26th November under escort; a fresh gun-boat detached from thence to attend us as far as S-chang, one of the former gun-boats being sent on to prepare the way and hire boats for us at S-chang. We got into hilly country on the 27th November, when the weather became overcast. On the 28th it rained nearly all day. The crew were rather unwilling to work in the rain, but a little gentle pressure set them to work again, and we managed to make a little progress. It cleared up in the evening, and next day we had a most glorious bright sunshine, which enabled us to enjoy thoroughly the splendid scenery we now found ourselves in the midst of. The wind favoured us, and we made a very good day's journey.

On the 30th we took a day's ramble among the hills on the right bank. We walked till 5 P.M., when we returned to our boats, which had kept pace with us. Towards 8 P.M. it clouded over, and rained till noon December 1. Our last night's resting place was, however, sufficiently near to S-chang to induce the boatmen to forget the rain, and at noon we reached this spot, which is a tolerable centre of junk trade, though by no means so large as Sha-shih.

After breakfast we went on board the new junks destined to carry us to Chung-Ching. We shall now have to divide our forces. Davenport and I take the most roomy junk, and Baber and the linguist take a rather smaller one. When we had completed our inspection we visited the town. The crowd was very eager to see us, but protected as we were by any amount of Yamên runners and gun-boat men, a space was cleared for our progress. We walked round the walls of the town, which we estimated at two miles in circumference. The wall is not square but rather semi-circular, except where it fronts the river and follows a tolerably straight line. When we had walked round the walls we descended into the interior of the town and walked through its principal streets. We passed many well-to-do shops, and some were stocked with foreign piece goods. The inhabitants in some of the streets had a prosperous, well-conditioned air about them, and some of the hong and buildings we went by were well-built and tolerably clean looking. There was so much building outside the wall that it was difficult to get a good view from it, but to all appearance the surrounding country on the left bank of the river is one mass of graves, and this being the only level ground in the neighbourhood, I do not quite see where a foreign Settlement is to grow up.

I have asked for a Lakin table, similar to the one furnished at Sha-shih. It will be useful for comparison if obtainable.

The characteristics of the river and its surrounding hills and plains are so well described in Blakiston and T. T. Cooper's books on the subject that there is nothing left to add on this head.

I have received cards from several small officials, and the Chih-hsien has sent me some things to eat, of which I accepted a pair of fowls, and sent the rest back with the usual fee.

The Senior Naval Officer of the place sent me his card in such grotesquely large characters that I sent it back to him, and told him he should have mine when he sent a proper card, which in the course of a quarter of an hour he did.

I hope to get on my way to the first Rapid to-morrow at noon, and intend sending these letters down by our former escort, which is to be relieved here by two fresh gun-boats, and to return at once to Hankow. We are all well and cheerful, very much the better for our yesterday's hilly ramble.

(Signed) T. G. GROSVENOR.

S-chang Fu, December 1, 1875.

No. 4.

The Secretary to the Admiralty to Lord Tenterden.—(Received February 2.)

(Extract.)

Admiralty, January 31, 1876.

WITH reference to your letter of the 27th instant, relative to the state of affairs in China, and to the remarks of Her Majesty's Minister at Peking respecting the strength of Her Majesty's fleet in those waters, I am commanded by my Lords Commissioners of the Admiralty to request you will inform the Earl of Derby that there are five frigates (forming part of the detached squadron) now at Bombay, which could proceed to the China Station, if Her Majesty's Government are of opinion that circumstances are of sufficient importance to require their being despatched thither; but these ships are at present under orders to proceed to England to refit, and have new boilers; and their Lordships are of opinion that it would be undesirable to forego this intention, except in case of urgency.

No. 5.

Mr. Lister to the Secretary to the Admiralty.

(Extract.)

Foreign Office, February 3, 1876.

I AM to state to you, for the information of the Lords Commissioners of the Admiralty, that since the date of Lord Tenterden's letter of the 27th ultimo, a further telegram has been received from Her Majesty's Minister at Peking reiterating his opinion that means of coercion should be at hand in the event of his negotiations with the Chinese Government taking an unfavourable turn, and I am, under these circumstances, to request that in laying this letter before their Lordships you will state to them that Lord Derby considers that in view of the renewed representations of Sir Thomas Wade, immediate steps should be taken to despatch reinforcements to the China seas, so as to convince the Chinese Government that Her Majesty's Government are determined to exact due reparation for the outrage committed in Yünnan.

No. 6.

The Secretary to the Admiralty to Mr. Lister.—(Received February 5.)

Sir,

Admiralty, February 4, 1876.

WITH reference to your letter of yesterday's date, in regard to the advisability of increasing the naval force in China, I am commanded by my Lords Commissioners of the Admiralty to request you will inform the Earl of Derby that orders have been sent by telegraph to Bombay for Rear-Admiral Lambert to proceed to Hong Kong with the four frigates "Narcissus," "Newcastle," "Topaze," and "Immortalité," after completing the ships with stores and provisions.

2. The Rear-Admiral has also been directed to call at Singapore, and report his arrival there by telegraph, awaiting further orders.

I am, &c.
(Signed) ROBERT HALL.

No. 7.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, February 9, 1876.

I REFERRED to the Lords Commissioners of the Admiralty your telegrams of the 5th and 16th ultimo, suggesting, with reference to the present state of your negotiations with the Chinese Government, the advisability of reinforcing the British naval force in China waters, and I have now to inform you that their Lordships have sent orders by telegraph to Bombay for Rear-Admiral Lambert to proceed to Hong Kong with the four frigates "Narcissus," "Newcastle," "Topaze," and "Immortalité," after completing the ships with stores and provisions. The Rear-Admiral has also been directed to call at Singapore and report his arrival there by telegraph, awaiting further orders.

I am, &c.
(Signed) DERBY.

No. 8.

Sir T. Wade to the Earl of Derby.—(Received February 10.)

(Telegraphic.)

Peking, January 26, 1876.

A FURTHER Memorial and Decree have appeared in the "Peking Gazette" on the subject of the Momein outrage. The former allegation that bad characters murdered our Interpreter is repeated by High Commissioners; but they state that there is ground for supposing that Li Sieh Tai took part in the opposition to the entry of foreigners; but that Li did not assist at the murder, and that no soldiers were implicated.

By Decree Li is degraded and put on his trial.

No. 9.

Sir T. Wade to the Earl of Derby.—(Received March 1.)

(Telegraphic.)

Peking February 16, 1876.

A POLITE letter from High Commissioner Li, dated the 29th ultimo, was received by me yesterday.

He professes to have caught the actual culprits; but he engages that, according to my demand, before the infliction of any punishment, reports on both sides shall be taken into consideration by me with the Yamên.

My Secretary was shortly expected by him.

On the return of the Secretary, he was to be escorted safely by whatever route he might select out of the Province.

No. 10.

Mr. Wade to the Earl of Derby.—(Received February 27, 1876.)

(Extract.)

Peking, December 15, 1875.

AS my telegram will have informed your Lordship, on my arrival at Tien-tsin I had had two interviews with the Grand Secretary Li. I called on him on the 23rd November, and he returned the call on the 24th. The Envoys designate, Kuo and Hsü, were with his Excellency when I met him at his Yamên. The first left Tien-tsin for Peking the day after my visit. The second accompanied the Grand Secretary to the Consulate, and paid me a separate visit on the 24th.

His object was to exonerate Ts'ên, the Acting Governor-General of Yünnan and Kuei-chow, of all but the formal blame attaching to a provincial Governor before

Chinese law when something has gone wrong in his province, whether he could have prevented it or not; and he hinted that a loss of three steps, without dismissal from his post, was the kind of penalty to which the Acting Governor-General might be liable.

I told him that, with all the circumstances known to us, we should require to have it shown that no part of the mischief done was due to his Excellency Ts'ên's orders. He admitted that if orders had been given which led to the death of Mr. Margary, Ts'ên would undoubtedly deserve death; but he was confident that no such orders had been given. At the same time he professed absolute ignorance of the facts established by the provincial Government, without knowledge of which, I had continued to repeat, it would not be possible for me to say what degree of reparation we might decide on claiming. If I knew the precise truth, I had said, it might be possible that no life need be taken; because, according to our civilization, what we seek in punishment is not retribution, but prevention of crime.

This was the sum of what passed between us in our two interviews upon the subject of punishment. I urged, however, that whatever might be the upshot of the inquiry Mr. Grosvenor had been despatched to institute, the public, not of England alone, might be propitiated if the Chinese Government were to proceed spontaneously to perform the promises given to me last September. I did not propose myself to return to the charge, I said, except as regarded the Yünnan case, pure and simple.

The Grand Secretary Li said that the promise given regarding taxation of trade was being fulfilled, as Mr. Hart was engaged in preparing the Report the Tsung-li Yamên had directed him to make; but that in the matter of intercourse between Ministers of the Yamên and foreign Representatives he was sure no step would be taken unless it was suggested from without.

No. 11.

Mr. Wade to the Earl of Derby.—Received February 27, 1876.)

My Lord,

Peking, December 15, 1875.

TO resume the thread of my narrative, I have the honour to state that I reached Peking on the 29th November, and the first few days had been passed, as is usual in interchange of formal visits, when, to my astonishment, there appeared in the "Peking Gazette" of the 9th instant, a Decree acknowledging the "Memorial of Li Han-ch'ang and colleagues," reporting what seemed at first sight to be the conclusion of an inquiry into the Yünnan affair.

The Grand Secretary Li had assured me that his brother would not reach the capital of the Province until about 18th November, and that couriers took about twenty days to perform the journey thence to Peking.

Having first dispatched two notes which I had had it in contemplation to send,—the one correcting certain errors of statement on my part, to which I shall refer elsewhere, the other requesting attention to reports received from India of the barbarous treatment of persons arrested at Momein, which I beg to inclose,—I wrote a third to inquire whether the Decree were authentic; if it were, to request that the Memorial of his Excellency Li might be sent me, and that I might be informed who the colleague or colleagues were, that were referred to in the Decree. I inclose also copy of this note.

I received the same day (the 10th instant) a note from the Prince of Kung, which may have crossed mine to His Imperial Highness, inclosing copies of Memorial and Decree. I inclose translation of the note and its inclosures, the authenticity of which was thus thoroughly vouched for, while the Memorial showed that one colleague at least, Sieh Huan by name, had been added to the Commission so far back as the 7th September.

Sieh Huan was Taotai at Shanghae in 1856-58, later still Treasurer and Acting Governor of Kiang Su, and from 1863 to 1868 a Minister in the Tsung-li Yamên. His unpopularity with his colleagues led to his retirement to Ssu Ch'uan, his native Province, ostensibly to take care of his aged parents, and he has hardly since been heard of. He was notoriously anti-foreign, and has been sent to Yünnan, I am satisfied, simply for the purpose of being obstructive.

Of course, this conviction did not entitle me to protest against his employment, if his Government saw fit to employ him, but I felt bound to express my surprise at the concealment of his nomination, and at the association with the Commission of the Acting Governor-General Ts'ên, whose name figured at the head of the published copy of the Memorial; also at the extraordinary despatch with which the Commission had arrived at the decision as to facts submitted to the Throne. There were also some errors of state-

ment in the Memorial, which was, in effect, but a reproduction of the story originally told by the officials who, according to the Prince of Kung's note of the 31st July, had been sent to Manwyne to make investigation. There was a slight difference between the two reports, it is true. The averment that the attack on Colonel Browne and the murder of Mr. Margary were the acts of the savages is in part retained. It is added that the savages were leagued with outlaws, and that both took advantage of the excitement occasioned in the Momein country by the rumour that we were bringing in troops, and the consequent levy of a volunteer force.

I tendered my criticisms accordingly in another note upon the 12th instant. Copy is inclosed.

The Prince of Kung replied on the 13th, in a note, of which I inclose translation. His Imperial Highness argues that the instructions under which the ex-Vice-President Sieh (when brought up to Peking in 1863, he was made a Vice-President of one of the Six Boards) was directed to proceed to Yünnan, were issued in a form which it is not usual to communicate or publish. This was the the excuse given for the non-publication of the Decree censuring the Acting Governor-General Ts'ên for his dilatoriness, which the Grand Secretary Li had assured me should be published, and which was formally communicated to me by the Prince himself.

I was obliged, to my regret, to send the inclosed rejoinder to this reply, and lest I should hereafter be charged with conduct such as I had felt called on to impugn, I wrote a separate short note to the effect that Mr. Vice-Consul Davenport had been attached to Mr. Grosvenor's Mission; an incident that I had forgotten to mention to the Prince.

This closes the correspondence regarding this most unhappy business up to date. I shall submit some observations to your Lordship upon the situation, as I now view it, in the following despatch.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 11.

Mr. Wade to the Prince of Kung.

Sir,

Peking, December 9, 1875.

IN a communication dated the 22nd of October, the Viceroy of India informs me that, according to reports received at Bhamo about the end of August by the Agent of the Indian Government there stationed, from Chinese traders frequenting Bhamo, the Momein authorities had been desired by the Provincial Government to arrest Mr. Margary's murderers, and that a Chinese, surnamed Li, and some slaves of the Kakhyen tribe had been accordingly arrested at Manwyne and brought to Momein; that these men were not, however, the persons actually engaged in the murder of Mr. Margary, but substitutes. Later, a Chinese from Manwyne arrived with the news that these substitutes had had their fingers cut off.

Reports of this kind have already found their way to England, and have naturally attracted attention. I do not here state that they are true or false, but I deem it my duty to bring to your Imperial Highness' notice the fact that they are current.

The attack of an armed force upon a party of gentlemen entering China under passports sealed by the Tsung-li Yamên, independently of the treacherous murder of one of their number, as your Imperial Highness cannot fail to be aware, has excited the most serious misgivings in England. The Government and people are alike determined to insist on the punishment of the persons responsible for both outrages, not as an act of retribution, but in order that the security of British subjects in China may be more perfectly insured.

When I was leaving Peking in the spring, I warned your Imperial Highness that the smallest appearance of a disposition to bar the way to free inquiry would be very unfavourably interpreted by Her Majesty's Government, and I feel bound to repeat this warning. A belief that the evidence in this unfortunate case was being unfairly dealt with could not fail to be of the most serious consequence.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 11.

Mr. Wade to the Prince of Kung.

Sir,

Peking, December 10, 1875.

IN the manuscript edition of the "Gazette" of last evening, there appeared an Imperial Decree to the effect that "Li Han-chang with his colleague (or colleagues) had sent up a general statement of the particulars of the murder of Ma-chia-li, which they had been commanded by Decree to inquire into and take action upon, and now requested that the officials who had acted ill might be degraded and brought to trial. The murder of Ma-chia-li," continues the Decree, "had been inquired into by Li Han-chang and his colleagues publicly and privately. The whole of the papers relating to the case had been brought up and examined by them, and they had deputed trusty officials to make strict investigation in a spirit of justice."

The case referred to in the "Gazette," I cannot doubt, is the murder of Mr. Margary, the British interpreter attached to Colonel Browne's Mission; but as it is but a few days since I was informed at Tien-tsin by the Grand Secretary Li that, according to letters received from his brother Li, Governor-General of Hu Kwang, his Excellency could not reach Yünnan Fu before the 20th of November, I venture to ask your Imperial Highness if the Decree published in the manuscript "Gazette" is an authentic paper. If it be, I shall be greatly obliged by communication of the Memorial referred to in the Decree at your Imperial Highness' earliest convenience.

I have also to request your Imperial Highness to inform me who the colleague or colleagues may be that have been associated by Decree with his Excellency Li Hang-chang. The Decree communicated to me in your Imperial Highness' despatch of the 24th June, mentioned no one but his Excellency.

I shall have some further observations to submit to your Imperial Highness in due time.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 11.

The Prince of Kung to Mr. Wade.

(Translation.)

Peking, December 10, 1875.

A MEMORIAL was received on the 9th instant from Li, Governor-General of Hu Kwang, commissioned to investigate affairs in Yünnan, and his colleagues, reporting a general outline of the result of their investigation into the murder of the official interpreter, Mr. Margary, and requesting that the officials who have failed in the due discharge of their duty be stripped of their rank and placed on trial; and on the same day an Imperial Decree was respectfully received. Independently of the further communication which shall be made when the Memorial reporting the conclusion of the proceedings from his Excellency Li and his colleagues shall have been received, after the British officials to be present at the inquiry shall have reached the province, it is the Prince's duty to forward a copy of the Memorial and Decree now received for the information of the British Minister.

K.S., 1st year, 11th moon, 13th day.

Memorial.

(Translation.)

Li Han-chang and his colleagues, looking upward, entreat the Sacred Glance on their Memorial, which they present to report the dates of their arrival in Yünnan, with a general outline of the result of their joint deliberations, and to pray His Majesty to signify his pleasure that, as a preliminary step, the civil and military officials who have failed in the due discharge of their duty, be stripped of their rank and placed on trial.

They humbly represent that on the 26th of June the following Decree was received from His Majesty:—

"A Decree has been issued this day appointing Li Han-chang to proceed to Yünnan to inquire into certain matters. We command him to proceed with all dispatch to

Yünnan, and to act in concert with the Governor-General and the Governor, in judicially inquiring into and deciding,* in a spirit of fairness, the case of the murder of Ma-chia-li:”

Also, that, on the 7th September, the following Decree was received:—

“Let Wu T'ang† convey notice to the ex-Vice-President Sieh Hwan‡ to proceed with all dispatch to Yünnan, to assist Li Han-chang in the management of all he has to do, in order that an efficient coadjutor be supplied to him.”

Your servants, after having reverently reported their departure, proceeded thereupon, in obedience to their instructions, along the several stages of their journey. Your servant [Li] Han-chang arrived in Yünnan on the 13th, and your servant [Sieh] Hwan on the 20th November, having examined [the subject] publicly, and instituted secret inquiries as they travelled along. After reaching the provincial capital they conferred with your servant [Ts'ên] Yü-ying, of whom they verbally inquired the general features of the case, and caused to be brought before them all the documents constituting the record of the affair, upon which they have with all dispatch commissioned competent officials to arraign the prisoners charged with the crime of murder§ who have already been apprehended and brought up for trial, and to elicit by means of a vigorous investigation the actual facts, which shall be laid in a Memorial before the Throne.

Prostrate, your servants have to state that, at the time when Ma-chia-li proceeded from Yünnan to Burmah, being in possession of a passport from the Yamên of Foreign Affairs, he was duly escorted in perfect safety from point to point through the districts he passed through.|| The aforesaid foreigner¶ and his companions afterwards came back from Burmah to Yünnan, between which there intervenes the territory inhabited by savages and the tribes (of the Shans). This region is habitually the resort of numbers of lawless offenders, who league themselves with the savages to plunder travellers. A multitude of rumours were at this time circulated among the notables** and people of T'êng-yüeh (Momein), stating that the foreigners were about to enter the country at the head of a large body of foreign soldiers; and the said notables and people, having never had any experience of the conduct of foreign soldiery, apprehended that, on entering the district, they would treat them with oppression and ignominy, and they consequently assembled a force of local militia for the protection of their own persons and property. Lawless offenders hereupon, who with the savages were lying in wait for opportunities, took advantage of the occasion to commit robbery and murder, and thus brought on the affair. Although, when returning from Burmah, the aforesaid foreigner did not give notice beforehand to the local authorities to send an escort to meet him, yet, on the other hand, the Sub-Prefect of T'êng-yüeh, Wu K'ialiang, showed himself incapable, at the time when the notables and people assembled their force of militia, to guard against the matter in its incipient stage, either by means of persuasion or by coercive measures; and when the disaster had taken place on the journey, months elapsed before any one was taken into custody, notwithstanding that stringent instructions were repeatedly dispatched by your servant [Ts'ên] Yü-ying commanding the apprehension of the guilty parties within a given time. Such delay in the effecting of arrests furnishes (or has furnished) the foreign Government (or, foreigners) with a plea for complaint. There has unquestionably been a failure in the due discharge of his duty. Tsiang Tsung-han, the Acting Brigadier-General of the T'êng-yüeh command, who, while specially invested with the control-in-chief of this region of country, took absolutely no cognizance of the occurrence of so serious an affair, has likewise rendered himself liable to punishment. Your servants deem it their duty to request a Decree ordaining that both the Sub-Prefect Wu K'i-liang and the Acting Brigadier-General Tsiang Tsung-han, be removed from their posts and provisionally stripped of their rank, and arraigned with the other parties for trial. If such facts should be elicited as that troops were moved to stop [the party from Burmah], or that instigation

* *Lit.*, winding up, bringing to a conclusion. The expression used, “Kieh,” is that which is consecrated by usage to the final termination of judicial proceedings.

† The Governor-General of Szech'wan.

‡ A retired official. In 1858 he was Taotai at Shanghai, and, as such, engaged with Mr. Lay in Tariff negotiations; subsequently Acting Governor of Kiang-su; and, 1863, made a member of the Yamên of Foreign Affairs. Since 1868 he has been in retirement in his native province.

§ In Chinese, “hiung fan,” which may be translated as “criminals guilty of murder,” or simply “murderers.” No distinction is drawn, in Chinese judicial parlance, between a person accused by authority and one found guilty of a crime.

|| Instead of “through the districts,” &c., the sentence may also be read “by the district officers,” as the expression “ti fang,” locality or district, is occasionally used in the sense of the officers locally in power.

¶ In Chinese, “Kai yang jên têng,” “the aforesaid foreign man and others with him.” The expression, in an official document, is hardly respectful.

** The “notables” or “gentry” of a Chinese district are such among the resident population as are in possession of official or literary rank, acquired either by purchase or by competition and service. Retired functionaries, living at their native places, constitute the leading element in this class.

was given to commit the murder, the most rigorous proceedings shall be farther taken according to law.

Your servants, having held consultation together on successive days, and being agreed in their views, reverently present this Memorial, setting forth their conjoint statements, upon which they, prostrate, entreat the Sacred Glance and the instructions of your Majesties the Empresses and your Majesty the Emperor. They have to add that Liu yoh-chao, the Governor-General of Yünnan and Kweichow, has not yet returned to his post, and his name is consequently not appended to this Memorial.

Extract from the "Peking Gazette" of December 9, 1875.

Decree on Yünnan Outrage.

(Translation.)

Li Han-chang and his colleagues have memorialized, reporting a general outline of their inquiry, undertaken in obedience to our Decree, into the murder of Ma-chia-li (Mr. Margary), and requesting that the officials who have failed in the due discharge of their duty, be stripped of their rank and placed on trial.

In the case of the murder of Ma-chia-li, Li Han-chang and his colleagues, having both investigated the matter publicly, and instituted secret inquiries, having caused all the documents connected with it to be laid before them for examination, and having deputed competent officers to conduct a judicial investigation in conformity with the principles of justice, report to us that on the road between Yünnan and Burmah there intervenes the territory occupied by savages and the tribes (of the Shan States), which has habitually been the resort of numerous robber bands. At the period in question the notables and people of T'êng-yüeh (Momein) having heard that foreigners, at the head of a large number of foreign soldiers were about to enter the country, assembled on this account a body of train-bands (or local militia) for their own protection. On his journey from Yünnan to Burmah Ma-chia-li, being provided with a passport, was duly escorted from point to point through the different districts, which he traversed in perfect safety. On [his] return at a later date from Burmah to Yünnan no notice was given to the local authorities to send an escort to meet [him], the consequence of which was that certain lawless offenders, lying in wait for opportunities, took advantage of the occasion to commit robbery and murder.

This being the tenor [of the memorial, it appears that] at the time when the notables and people collected their force of militia, Wu K'i-liang, the sub-prefect of T'êng-yüeh, was incapable of guarding in time against what followed, either by the exercise of persuasion or by the application of coercive measures, whilst after the disaster had taken place months went by before arrests of the guilty parties were made, notwithstanding that stringent orders were issued by Ts'ên Yü-ying commanding the apprehension of the criminals within a given time. He has unquestionably failed in the due discharge of his duty. Tsiang Tsung-han having, as acting Brigadier-General of the T'êng-yüeh command, the chief control of this region, incumbent upon him, has equally rendered himself liable to punishment by his failure to take any cognizance whatever of the occurrence of an affair of so serious a nature. Let both Wu K'i-liang and Tsiang Tsung-han be removed from their posts, and be provisionally stripped of their official rank, and be brought to trial as parties to the case. If evidence of troops having been moved to oppose [the entrance of the party into China] or of instigation to commit the murder be elicited, let Li Han-chang and his colleagues thoroughly and strictly investigate the matter, in order that the demands of justice be faithfully carried out. Let there be no approach to favour or concealment.

Let the Boards concerned take note.

Inclosure 4 in No. 11.

Mr. Wade to the Prince of Kung.

Sir,

Peking, December 12, 1875.

I AM in receipt of the note your Imperial Highness did me the honour to address me on the 10th instant, inclosing copies of the memorial of the Governor-General Li and his colleagues, and of the Imperial Decree issued in acknowledgment of it. The transmission of these papers by your Imperial Highness of course establishes their authenticity, and I shall forward translations of them to the Earl of Derby. I shall at the same time submit to his Lordship the following observations upon their contents.

From the memorial it would appear that the ex-Vice-President Sieh was commanded by Decree to associate himself with his Excellency Li so far back as the 7th of September. The ex-Vice-President was known years ago to Her Majesty's Government as a high provincial authority, and later as a member of the Tsung-li Yamên. This fact gives to his appointment a special significance, and I cannot but be surprised that I should have received no earlier intimation of it.

I have not been surprised at the appearance of the name of the Acting-Governor-General Ts'ên as the colleague of their Excellencies the Memorialists. The Acting-Governor-General Ts'ên is himself one of the parties accused of misconduct. He is chargeable before Chinese law, if with no graver offence, at least with neglect of precaution before the occurrence of the 22nd of February, and, after the event, with dilatoriness. His dilatoriness was censured from the Throne in a Decree communicated to me by your Imperial Highness in a note dated 29th August, and it was surely into his conduct as much as into that of his subordinates that the Governor-General Li was commissioned to inquire. It is something new that a man in such a position should be joined with his judges in a report upon his own case.

The rapidity with which their Excellencies Li and Sieh have been enabled to complete and forward their report, again, is also astonishing, and its publication at this juncture, after the strong objections advanced against such a course in the Tsung-li Yamên's Memorandum of the 22nd of August, inexplicable.

Lastly, as to the matter of the Memorial itself, it is not the case that Mr. Margary was escorted to Burmah by the local authorities. His letter referred to in my note of the 27th March shows that two "wei yuen" were sent with him by the Acting Governor-General from the capital as far as Yung-ch'ang Fu. Thence he found his way alone to Momein, and from Momein through Nan-tien to Manwyne, where he was received and entertained by Li-hsieh-t'ai. It is not either true that no notice was given of his return. The Governor of Yünnan knew from his passports and from the letters carried by him from the Yamên, that he would return with the party he was sent to meet. He talked fully to Li-hsieh-t'ai on the subject, and before leaving Bhamo he wrote on the 19th and 20th January to Li-hsieh-t'ai and the authorities at Momein to state that he was about to start.

These are, however, inaccuracies of comparatively minor importance. The general account which their Excellencies Li, Sieh, and Ts'ên have forwarded is substantially the same as that submitted last summer to his Excellency Ts'ên by the Tsung-ping Yang and the Taotai Ch'ên, and communicated to me in your Imperial Highness' note of the 31st of July. My reasons for declining to attach any value to the representations of these two officers are fully set forth in my notes of the 20th and 21st August, to which I beg to refer your Imperial Highness. With the evidence therein recorded, it is impossible for me to regard the Memorial of the Governor-General Li and his colleagues otherwise than as a most unsatisfactory report. I should have been pleased to avoid this declaration, but I conceive it my duty to make it, and I cannot doubt that Her Majesty's Government will concur with me in the opinion I have expressed.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 5 in No. 11.

The Prince of Kung to Mr. Wade.

Sir,

Peking, December 13, 1875.

THE Prince has to acknowledge the British Minister's despatch of the 10th instant, requesting information on the appearance of a Decree relating to the inquiry into the murder of Mr. Margary, and, in reply, he begs to refer to his despatch of the 10th instant, in which he communicated to the British Minister a copy of the Memorial presented by the Commissioner Li and his colleagues, and of the Decree issued thereupon.

With reference to the "colleagues" indicated in the manuscript copy of the Gazette, he has to state that a Decree was issued last September, directing Wu T'ang (Governor-General of Szech'uan) to direct the ex-Vice-President Sieh Hwan to proceed at once to Yünnan to assist Li Han-chang in his mission. This was a Decree (confidentially) forwarded,* and, consequently, one such as the Yamên of Foreign Affairs is not in the habit of communicating.

* A distinction is drawn between the "Shang yü" (Decrees) issued for public information, or to publication of which there exists no objection, which the Gazette copyists are bound to publish, and the "K'i yü," or "T'ing K'i," Decrees forwarded under cover of a despatch from the Grand Council, which, it is here implied,

It has farther to be observed that when a High Commissioner is appointed by the Chinese Government to institute an inquiry in any of the provinces, if the [confidential] decree contains wording to the effect that he is to co-operate with the Governor-General and Governor of the province concerned, the officials in question join in signing the report, the duty of drafting which, however, rests solely with the High Commissioner. The "colleagues" indicated in the manuscript copy of the Gazette are the Commissioner Li, the Commissioner Sieh, and his Excellency Ts'ên (the Governor of Yünnan). This reply is accordingly forwarded for the information of the British Minister.

K. S., 1st year, 11th moon, 16th day.

Inclosure 6 in No. 11.

Mr. Wade to the Prince of Kung.

Sir,

Peking, December 15, 1875.

I BEG to acknowledge receipt of the two notes that your Imperial Highness did me the honour to address me yesterday, in reply to my communications of the 9th and 10th instant.

I observe that a distinction is taken between the terms Shang Yü and Ch'i Yü. They are both alike raised two places above the column. There can be no doubt, consequently, that whichever of the two denominations be employed, the missive bearing it is neither more nor less than a paper containing the commands of His Majesty the Emperor of China.

Now, in the Shang Yü of the 19th June, communicated to me in your Imperial Highness' note of the 24th of that month, the Governor-General Li was directed simply to proceed post to Yünnan to make inquiries and take action.

In the joint Memorial, communicated to me on the 10th instant, it is stated that on the 26th June there had been received from the Emperor (Ch'in Fêng) a Shang Yü to the following effect:—

"According to His Majesty's pleasure (chih) this day signified Li Han-chang is to proceed to Yünnan to make inquiries and to take action. It is commanded (choh) that he hasten to Yünnan, and, in concert with the Governor-General and Governor, make inquiry in a spirit of fairness into the murder of Margary."

Thus, it would appear, that there were on the same day issued two Shang Yü, directing his Excellency Li Han-chang, in one, to act alone, and in the other, to associate himself with the Governor-General and Governor of Yünnan, and that the first was communicated to me, while the second was not.

The Imperial commands issued to his Excellency Wu T'ang on the 7th September were also, according to the same Memorial, conveyed in a Shang Yü.

It will be my duty of course to forward to the Earl of Derby translations of the notes now acknowledged, as well as a copy of this reply.

I take the opportunity of requesting attention to a passage in the Tsung-li Yamên's Memorandum of the 22nd August, which should properly have been quoted in my note of 12th instant, when I was speaking of the assumed obligation of his Excellency Li to report upon the dilatoriness of the Acting Governor-General Ts'ên.

"It will be the duty of his Excellency Li," says the Memorandum, "to ascertain whether or no the Governor-General and the Governor of Yünnan have been dilatory in their conduct, and to take action accordingly."

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 7 in No. 11.

Mr. Wade to the Prince of Kung.

Sir,

Peking, December 15, 1875.

I HAVE omitted to inform your Imperial Highness that when at Shanghai I instructed Mr. Davenport to attach himself to the mission of Mr. Grosvenor.

are of a confidential character. In most cases of importance, a "T'ing Ki," or private Decree, is sent at the same time with the public document. This, it now appears was the case with the Decree of June 19th, the receipt of which, with its accompanying "T'ing K'i," is acknowledged by Li Han-chang under date of June 26th.

I inclose copy of the note I addressed to his Excellency Li, explaining my reasons for this decision.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 12.

Mr. Wade to the Earl of Derby.—(Received February 27, 1876.)

(Extract.)

Peking, December 15, 1875.

AS my telegram implies, it may be that, notwithstanding the unsatisfactory character of the Memorial and Decree just published, the Chinese Government has not absolutely made up its mind to declare the case closed by the, to my mind, ridiculous report received from the High Commissioner, Li Han-ch'ang, and his colleagues. For any amount of duplicity and puerility we must be prepared.

Still the closing paragraph contains a hint that the Memorialists are not going to ignore altogether what is really the gravest count in my indictment, namely, that troops were moved and murder instigated by official authority. It is quite possible that both documents were prepared, or at least retouched, in Peking. Their precipitate publication I attribute to an intention to make me understand that, of any very serious offence, the Acting Governor-General Ts'ên, and the General Yang, now Acting T'i-tu of Yünnan, Commander-in-chief, that is, of the provincial army, will certainly not be convicted. Both, however, may be made to lose steps, and be formally censured by decree. The two officials of the Momein country will most probably be transported, and, besides a life for a life (the life of Mr. Margary), punishment in a lesser degree of unimportant persons will be largely conceded. As to justice being done, in our sense of the word, as my correspondence from the first will have shown, I have never been so sanguine as to assume that it would be. More, although, as a matter of principle, I imperatively insisted upon the admission of British agents to watch the proceedings, I have never even thought it probable that we should establish the guilt of the really culpable in such wise as to justify us in affirming that we had "secured a conviction." Were it not for the fact that the Chinese authorities unhesitatingly admit that Mr. Margary was murdered, we have as yet nothing but the letters and depositions of certain Burmese to appeal to as evidence of the atrocity, and canvassed as these questions are canvassed in England, I have naturally felt the embarrassment of urging upon the Chinese as incontestable a story, which, at the Old Bailey, would possibly be held to be but imperfectly supported.

Of course, I thoroughly believe all that I have advanced. My indictment of the 20th August, forwarded to your Lordship in my despatch of the 26th of August, was, I need not say, very conscientiously prepared. But the utmost I have ventured to hope all along is this, that such an impression might be produced on the central Government as would compel it to exert its influence on the provinces in such a fashion as would secure foreigners against recurrence of the insults and outrages to which they are periodically exposed.

I say this allowing that such matter of offence is not of very frequent recurrence, and that there is a *pars altera*, which a counsel for the defence might turn to very effective account. But when the offence does come, it comes in a form which, as a rule, puts a *casus belli* in the hand of the power aggrieved, and the Government's treatment of it is always such as seriously to aggravate the offence. The sum of my demands since March last has been, show, by better observance of the Treaties, that you have put away your anti-foreign policy. Except the promise that the trade already existing between Yünnan and British Burma should be put under regulation, and an indemnity, which I dropped almost as soon as I asked for it, I have pressed for nothing that was not within the Treaties, and the accordance of which, were the Government well disposed or convinced of its responsibility, there could be no difficulty in granting. The whole question is divisible into two heads; improvement of diplomatic relations, and satisfaction of commercial rights. The Chinese Government is making no sign with reference to the first, but I do not say that it will make none. I shall keep clear of it, at all events, until the solution of the Yünnan complication is nearer at hand.

The taxation of trade I cannot look to hear anything of, until, in obedience to his instructions, Mr. Hart presents the report he is now engaged in preparing. I may be obliged to enter on a discussion of this question sooner than I desire, but I shall abstain from it as long as possible, it being essential now to make it plain that the Yünnan outrage takes precedence of all other matters. The impression that, in respect of this, we

are determined to be most uncompromising, will be of a certain value. The time is come, however, when the Chinese must be made distinctly to understand that if they trifle with us in this case, a severe chastisement will be inflicted upon the Government. To this understanding, what has fallen from me, or what I have been instructed to write, has not contributed more than a passing influence. Their long habituation to the near approach of dangers calculated to imperil the very existence of the Empire, has confirmed them in their constitutional immobility. They are besides confirmed in their unwillingness at all times to believe in the worst by their faith in luck, and the tone of our newspaper articles and speeches, which, even when they discover a determination perfectly intelligible in England, to exact what is due to us in this instance, scarcely ever fail to enlarge upon our consideration for China, our interests in the country, and our consequent unwillingness to strike, produces among the Chinese but one effect. The weight of the few words that, taken alone, are more or less intimidatory, is entirely counter-balanced by the expressions of good will and sympathy which I am, as much as any man, delighted to think that we feel towards this nation.

No. 13.

Mr. Wade to the Earl of Derby.—(Received February 27, 1876.)

My Lord,

Peking, December 16, 1875.

I HAVE reason to fear that my letter to Mr. Grosvenor on the torture of persons accused, which has been already forwarded to your Lordship, never reached him. I have sent him copies in triplicate, which Mr. Alabaster will try to transmit to him, one by the Government courier, the other two by private hands. I have at the same time modified my instructions regarding his return from Yünnan. I think it desirable that he should be out of Yünnan as soon as possible, returning if he can by way of Burma. I inclose copy of my letter to him, also of a note which will accompany the copy sent by Government courier to Li Han-ch'ang.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 13.

Mr. Wade to Mr. Grosvenor.

Sir,

Peking, December 14, 1875.

BEFORE Mr. Davenport's departure from Shanghae I had some conversation with him regarding the possibility of torture being applied to persons examined in the proceedings you have been commissioned to watch, and I thereupon wrote you a letter of instructions which it was my intention should be sent to you when Mr. Davenport went up to Hankow. Finding that there is no note upon the draft to show that it was so sent, I fear that it may have been overlooked, and I accordingly take this opportunity of forwarding you a copy of it.

* * * * *

On my arrival at Tien-tsin I saw his Excellency Li Hung-ch'ang twice; once at his Yamên, and once at the Consulate. In conversation he tried hard to extract from me my opinion as to the minimum of satisfaction that would content the British Government, his chief object apparently being to make the best terms he could for the Acting Governor-General T'sên, whom, in effect, he did his best to exonerate altogether.

My answer in sum was this: "If I am told the whole truth, though Mr. Margary's murder is beyond dispute, I do not say but that I may find a way by which not even one life need be demanded. From the standpoint of our civilization we do not seek punishment in a spirit of vengeance, but in order to the prevention of a repetition of offences."

His Excellency pressed me to name the way I thus implied I had in reserve, but this I declined to do until I should be in possession of such information as the Chinese Government might have to give me, and, as he professed to be without any himself, we got no farther. His brother, the Commissioner, he said, had not yet reached Yünnan-fu, and could not reach it before the 18th November.

I returned here on the 29th November, and upon the 9th instant was surprised by the issue of a Decree replying to a Memorial from their Excellencies, Li, Sieh, and T'sên, which Memorial was itself published the following day, and was to the effect that the

Commissioner Li had arrived on the 13th November, and the Commissioner Sieh on the 20th.

They had conferred with the Acting Governor-General Ts'ên, and the result was a joint report. Mr. Margary, they represented, being provided with a passport from the Tsung-li Yamên, had been escorted safely from Yünnan into Burma. When returning, he gave no notice of his coming, and the notables and people of the Momein jurisdiction, being alarmed by rumours that foreigners were coming into the country with a large army, called out a volunteer force for their protection. This state of things gave their opportunity to the outlaws who frequent the border-land inhabited by savage tribes, and, in league with some of these, they did acts of robbery and murder.

The Tung-pan, named Wu, being the civil authority, and the Tsung-ping Chiang, chief military authority in the Momein jurisdiction, were to blame—the first for not stopping the enrolment of militia by advice or exercise of power; the second for his indifference. The Commissioners recommend the suspension and trial of these officials; also a searching inquiry to ascertain whether troops had been moved or murder instigated.

From your acquaintance with the facts as exposed in my note to the Prince of Kung under date the 20th August, you will understand that this story, which is little more than a repetition of the report of Yang-tsung-ping, and Chên Taoutae, communicated to me by the Prince of Kung on the 30th of July last, is not a story that I am likely to accept. There are, at the same time, other circumstances calculated to confirm my misgiving that the Chinese Government is disposed to act with even less fairness than I had anticipated. The Commissioner Sieh, formerly in the Yamên, was added to the Commission by a Decree of the 7th of September. This was never communicated to me, and the reasons given for its non-communication are excuses of the well-known order. The Commissioner Sieh is notoriously a most anti-foreign Chinese. I made his acquaintance first in 1854. He was in 1858-60 Taoutae at Shanghae, and in 1863-68 a Minister of the Tsung-li Yamên. He will hardly fail to attempt to play the bully. Caution and temper are, therefore, doubly necessary in dealing with him and his colleagues.

This letter will, I trust, reach you by a private hand, but I have written also to you by an official courier, and should the copy he carries ever be delivered to you, you will note that the matter marked off above by asterisks, as below, has been omitted in it, but that the instructions which follow have been retained in it.

* * * * *

Should it have come to your knowledge otherwise, before this reaches you, that the Memorial of the High Commissioner Li, the ex-Vice-President Sieh, and the acting Governor-General Ts'ên has been published in Peking, I shall be glad to learn that you have avoided all spontaneous allusion to it, but that if it has been brought by any of these high officials to your knowledge, you have limited yourself to requiring that statement so completely at variance with those contained in the Burmese letters and dispositions in our possession, be substantial for my information. If it be urged, as it probably will be, that the witnesses, on whose testimony the report is based, are at Momein or Manwyne, that is simply an *à fortiori* reason for your proceeding to those places, a visit which is enjoined in your instructions, and you will make your stay at Yünnan-fu as short as possible. If a respectable number of witnesses be produced at that city, you will of course instruct your deputies to hear what they have to say. Should their evidence be greatly at variance with that in our hands, confine yourself to pointing out, briefly, the discrepancy, and then, insisting always upon my injunction that no one condemned in the proceedings is to be put to death till the Tsung-li Yamên and the Legation shall have been communicated with; you will prepare a plain report, copy of which, without debate, you will request the High Commissioner to forward me. You will at the same time request his Excellency to take steps to secure the safe passage of your whole party via Manwyne to the frontier, which you will cross as soon as you ascertain that an escort from Bhamo is ready to meet you.

This is a modification of my original instructions, but I conceive that the circumstances of the case as now before me make the change preferable.

* * * * *

You will understand from what has gone before that you are all to return via Burma, unless you find it absolutely impossible.

You will, of course, endeavour to forward me copy of your report by a private hand.

I am, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 13.

*Mr. Wade to his Excellency Li Han-chang.**Peking, December 15, 1875.*

MR. WADE presents his compliments to his Excellency Li.

It is Mr. Wade's wish that whether criminals arraigned before the tribunals of the Yünnan Government be officials or of the people, no one shall be punished until reference be made to the Central Government, and by Mr. Grosvenor to the British Legation.

Mr. Wade has written to inform Mr. Grosvenor that this is his desire, but being in some doubt whether his letter may not have failed to overtake Mr. Grosvenor, Mr. Wade will be obliged to his Excellency Li to inform Mr. Grosvenor of the receipt of this note. That his intention may not be mistaken, Mr. Wade adds the English text of the note. Production of this will leave Mr. Grosvenor in no doubt as to its meaning.

As it is also possible that Mr. Wade's former note may have failed to reach his Excellency, Mr. Wade adds a copy of it herewith.

No. 14.

Consul Medhurst to the Earl of Derby.—(Received February 27.)

(Extract.)

Shanghai, January 13, 1876.

I HAVE the honour to inform you that I have this day forwarded to your address, a telegram, as under :

“Advices from Grosvenor dated 13th December. Had reached Kwei-chou-fu. All well.”

No. 15.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, March 1, 1876.

I HAVE received and laid before the Queen your despatch of the 15th of December, reporting what passed at the interviews with Kuo and Hsü, the newly-appointed Envoys to Great Britain, and I have to convey to you the approval of Her Majesty's Government of the language used by you on the occasions in question.

I am, &c.

(Signed) DERBY.

No. 16.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, March 1, 1876.

I HAVE received and laid before the Queen your despatch of the 15th of December, together with its inclosures, on the subject of the inquiry in Yünnan into the circumstances attendant upon Mr. Margary's murder; and I have to convey to you the approval of Her Majesty's Government of the notes addressed by you to the Prince of Kung, copies of which you inclose.

I am, &c.

(Signed) DERBY.

No. 17.

Sir T. Wade to the Earl of Derby.—(Received March 13.)

My Lord,

Peking, January 7, 1876.

IN my despatch of the 21st October I stated the circumstances under which it happened that I availed myself of Mr. Hart's services as an intermediary at a critical juncture in my last negotiations regarding the guarantees I required to enable me to send Mr. Grosvenor to Yünnan.

To put Mr. Hart in possession of the matter of which I conceived he would require to be exactly informed, I sent him on the morning of the 5th October a note and a memorandum. Though very hastily prepared, the latter appears to me to present the case in a form that your Lordship may find useful, and I have, therefore, with Mr. Hart's permission, caused a copy of it to be taken.

I beg to inclose copies of the two papers referred to. They would in some places have been clearer, had I had time to draft them. They were sent to Mr. Hart as they stand, unrevised.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 17.

Sir T. Wade to Mr. Hart.

My dear Hart,

Peking, October 5, 1875.

THE Prince has two subjects to write upon. They may be disposed of in one despatch or two, as he sees good.

Regarding trade, I shall be satisfied if he says that, referring to my representations through Li Chung-t'ang when I was at Tien-tsin, and directly to himself, he has already promised in his despatch of the 22nd September, in general terms, that wrong shall be set right.

As this does not appear to me to be sufficiently explicit, he now assures me that you have received (as you did receive on Saturday) instructions to report on the whole question of taxation of foreign trade, and to suggest such measures as you think will legitimately develop foreign trade without injury to revenue.

As to the frontier, he might state that, passports having been issued to enable an Indian Mission to enter Yünnan from the Burmese side, it was presumable that a fresh mission would be sent, and that when it was there would, of course, be no objection to the officer in charge conferring with an officer of corresponding rank on the subject of trade; but that His Imperial Highness had assumed that no mission would be sent till the enquiry was terminated, and that he puts it to me whether this is not the most reasonable arrangement. The essential is the Decree.

Yours truly,
(Signed) THOMAS FRANCIS WADE.

P.S.—I leave you a discretion, of course,

T. F. W.

Inclosure 2 in No. 17.

Memorandum.

THE Yamên must remember how I am situated, not as Mr. Wade, but as the Minister of England.

There are two questions to which Her Majesty's Government is looking for satisfactory answers—

1. Will justice be really done in the Yünnan affair?

2. Is there reason to hope that the Chinese Government will so revise its policy as to secure its relations against the interruptions to which crimes like the Yünnan outrage, and even lesser violations of Treaty, expose them?

I had no object in what I advanced last March but the obtaining of such guarantees as would enable me to answer these two questions satisfactorily, and had I then withdrawn the Legation, Her Majesty's Government, I feel sure, would have approved my action.

I accepted passports for an agent who should be present at the Yünnan enquiry, and I then waited for information from India.

I received this in June, the Yamên still declaring itself to know nothing except that officers had been sent to the scene of Mr. Margary's murder.

However, the Chinese Government did in June appoint a special Commissioner, a step the Yamên had declared impossible in March, and I sent Mr. Grosvenor, the gentleman I had named to assist in the enquiry, to visit him. Mr. Grosvenor returned to Shanghai on the 15th July.

I had telegraphed to Her Majesty's Government that the appointment of a special

Commissioner was a good measure. On receiving Mr. Grosvenor's report of his visit I was obliged to telegraph that I was far from satisfied.

The ill-impression produced on me by the Special Commissioner's language to Mr. Grosvenor was confirmed on my arrival at Tien-tsin on the 1st August. I had obtained a full account of what took place on the Yunnan frontier from Colonel Browne, the officer attacked, who had been sent from India to Shanghai to give me information. On my arrival at Tien-tsin I received a despatch, dated 31st July, from the Prince of Kung, to the effect that, according to the report of the Yunnan Government, Colonel Browne had been attacked by savages, who wanted to plunder his baggage. But the Grand Secretary Li informed me, almost at the same moment, that Colonel Browne's assailants were t'uan lien, train bands. His Excellency Ting declared that they were yü min wu chih, simple people who knew no better. Since my return to Peking I am given to understand that the Grand Secretary Wensiang suggests that they were Mahometan rebels disguised as Chinese troops. Let the Yamên reflect what the effect in England will be of such explanations as these.

But I have anticipated. After receiving the Prince of Kung's despatch of the 31st July I might have at once withdrawn. I am confident that my withdrawal would have been approved. I still endeavoured to obtain from the Chinese Government such guarantees as would authorize me to say to Her Majesty's Government that Mr. Grosvenor would have fair play in Yunnan.

The guarantees I required again, with one exception, were after all but observance in part of Article IV of the Treaty of Tien-tsin, and a more perfect observance of the commercial clauses, difficulties pleaded in the way of such observance being to be obviated, if needful, by the expansion of the area of trade, in plain words, new ports.

The exception was an agreement that if a new Indian Mission were sent, an officer of the Yunnan establishment should be directed to consider with him the conditions of the trade now existing between British Burma and Yunnan, with a view to its ultimate regulation; no further step being taken until the Chinese officer had reported to his own Government, and the British officer to me.

Thinking that his Excellency Li appeared to object to the proposed communication upon such a subject with an officer of the Indian Government, I offered to substitute Mr. Grosvenor for the Indian officer.

My reason for urging this condition was two-fold. In the first place the Mission repulsed last February was sent for the very purpose of examining the conditions of this trade, and reporting to the Indian Government, within whose jurisdiction British Burma lies. Secondly, the repulse of the Indian Mission was, through the Government of India, a serious affront to the Government of England, and I looked to a formal promise, such as I asked for, as an acceptable form of *amende*.

This is the explanation of my persistence in pressing the propositions laid before the Grand Secretary Li and the Tsung-li Yamên. Of what I laid before the Grand Secretary Li scarcely anything was accorded that I can point to as answering the purpose I avowed. The intention of the Chinese Government to send missions abroad was known months ago, and it was impossible for me to assert that the mission of Kuo Sung-tao was a guarantee that the Yunnan inquiry would not be trifled with.

On all other points it became so evident to me, after I arrived in Peking on the 12th September, that the Yamên's purpose was not immediately to do anything, that on the 18th I gave the Prince of Kung formal notice that I should withdraw the Legation and Port communities, as I had told the Grand Secretary Li I would.

I renewed the discussion notwithstanding until the 23rd, when, after a most unsatisfactory conference on the question of intercourse between foreign Ministers and the Chiefs of Departments, the only measure in satisfaction of the obligations of Article IV I had proposed, I decided to send Mr. Grosvenor to England.

This should properly have closed my negotiations, but being led to suppose it possible, from what was said to Mr. Mayers on the 24th, that there was still an opening for accommodation, I reopened them on the 25th, premising this time that unless they could be favourably terminated by the evening of the 28th, they should not be prolonged.

On the evening of the 28th I received from the Prince of Kung copies of the Decree and Memorial since published regarding intercourse. The Memorial I consider a most satisfactory paper. But I am still as far as ever from an answer to my other demands. They were still to be "talked over." That is to say they were just where they were at the beginning of August.

Now, if with an affair like the Yunnan affair on my hands I had been asking for the fulfilment of Article IV, or satisfaction of Treaty provisions affecting trade, as a sort of set-off against the outrage committed, my Government would have been very ill-pleased.

I did not do this. In March I pressed my propositions on the general ground that redress of griefs would be acceptable, and that the manifestation of a determination to improve relations would be looked on as a guarantee that the Yünnan affair would be properly dealt with and the future secured.

Since July last all I have sought is such a guarantee of the good faith of the Chinese Government as would justify me in saying that I do not send Mr. Grosvenor on a fool's errand. For if his mission prove no more, the last end will be worse than the first.

The Chinese Government has made one step that all men will approve, in publishing the Memorial and Decree of the 28th September. But to my Government it will have lost much of its value as a guarantee, when I report all that has passed in conference and correspondence since the 12th September.

And now for the second time since that date I have given notice of my intention to withdraw. I had declared more than once, especially on the 29th, that if the propositions then under debate were not acceded to there must be in any fresh negotiation new propositions; and I am certain that if I neither withdraw nor advance any fresh proposition, I shall be charged with, on the one hand, having led the Chinese Government to suppose that I was infirm of purpose; on the other, and that is more important, of having accepted as guarantees what, seeing how they have been conceded, are hardly to be considered guarantees at all.

I have yesterday, through Mr. Hart, put forward a proposition which, were it given effect to, would undoubtedly do much to reassure the public mind in England. The Chinese Government having manifestly misunderstood my suggestion of measures of the character of those heretofore proposed—measures having reference to the personal position of the British Minister, and the rectification of the duty question; measures, in short, which may be categorised as materially advantageous, I therefore asked for the publication of the Memorial and Decree communicated to me in a despatch from the Prince of Kung while I was still at Tien-tsin.

I am told that for formal reasons this is impossible. I am persuaded, after a long study of the "Peking Gazette," that it is not impossible. However, I have one, and only one, alternative.

Let the Yamên pray this day a Decree to the effect that whereas the Treaties authorise foreigners to travel with passports, which are issued to them by their own officials, and countersigned by Chinese authorities, it has been represented by the Tsung-li Yamên that as this is not as widely known as it should be, and that untoward events are sometimes the consequence; that last February, in Yünnan, a party of British officers travelling under passport was attacked and their interpreter murdered; that this affair is being inquired into, a High Commissioner having been sent to preside, and that all China must take notice, &c.

If there be a difficulty about such a Decree as this, if the Central Government is unwilling or unable to declare itself in this sense, I cannot believe it willing or able to do its duty in Yünnan. I shall not feel at liberty to send Mr. Grosvenor to Yünnan. He will return to England, and I shall at once withdraw, as I have said, proceeding myself to Tien-tsin to-morrow to warn the community.

What is at this moment most discrediting the Chinese Government in connection with this outrage, is that it has never ventured to allude to it publicly, and such a reference as I suggest is become indispensable.

If the Yamên is in earnest, it will let me have the papers I require by to-night:—

1. A despatch on the taxation of trade.
2. A despatch on the Yünnan frontier trade.
3. The Decree as above.

I will make one concession on my side. On receipt of these three papers I will promise in writing that no mission to consider Yünnan trade relations shall be sent till the judicial affair is terminated.

(Signed)

THOMAS FRANCIS WADE.

October 4, 1876.

No. 18.

Sir T. Wade to the Earl of Derby.—(Received March 13.)

My Lord,

Peking, January 13, 1876.

IN my despatch of the 15th December I had the honour to forward copies of two notes addressed by me to the Prince of Kung. The Prince duly replied to both,

taking exception to my criticisms. Nothing can be less satisfactory than the explanations of the contradictions I had pointed out, although I have let it be understood that I am seriously dissatisfied. I sent no answer to either of his Imperial Highness's notes, and shall send none until after the arrival of the in-coming mail, now hourly expected.

Translations of the notes are ready for transmission, but I shall reserve them until I have replied to the notes.

The mail may possibly bring me telegrams from your Lordship, dispatched after receipt of the correspondence sent home with Mr. Edwardes.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 19.

Sir T. Wade to the Earl of Derby.—(Received March 13.)

My Lord,

Peking, January 13, 1876.

IN the last fortnight the two Envoys Designate and their friends have had several conversations with Mr. Hart, Mr. Mayers, Mr. Hillier, and myself, from which I am led to infer that the Chinese Government is, as I have telegraphed, alarmed at the manner in which I have received the Memorial and Decree relating to the Yünnan affair. The Government will not, however, surrender until it be fairly frightened into the conviction that we are not to be put off with puerilities, and it will not, I fear, attain to this point until we are seen to be preparing, in the event of justice being refused us, to take the law into our own hands.

My rejoinder to the Prince's notes will review the whole question. Memoranda of the conversations above referred to are ready for transmission to your Lordship, and I trust that the great difficulties of the situation will, with the information these papers will supply, be made sufficiently clear.

I am asked, directly and indirectly, what it is that I require; but, with the Chinese Government committed to the puerile falsehoods set forth in the objectionable Memorial and Decree, I can hardly give a plain answer to the question until I hear from Mr. Grosvenor how he has been received in Yünnan, and with what explanation our charges against the Provincial Government have been met.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 20.

Consul Medhurst to the Earl of Derby.—(Received March 13.)

My Lord,

Shanghai, January 24, 1876.

I HAVE the honour to inclose extracts from a private journal which I have this day received from the Honourable T. G. Grosvenor, and which I am transmitting to Her Majesty's Minister at Peking.

I have, &c.
(Signed) W. H. MEDHURST.

Inclosure in No. 20.

Extracts from Mr. Grosvenor's Private Journal.

*On the Yang-tsze, a few miles below Chung Ching Fu,
December 30, 1875.*

I BEG to forward further extracts from my diary concerning the journey of the Mission from Kwei-chou-fu thus far. Whilst at Kwei we were very kindly received by the Roman Catholic missionaries. Kwei-chou-fu, it appears, is both an excise and likin station. The missionaries said that the officials collected more than 1,000,000 taels annually at this place, of which but 300,000 taels found their way into the Imperial Exchequer. Whilst on this subject it will be as well to mention that Sungpaohua was unable to obtain me a tariff of "likin" at Kwei-chou-fu, but had sent me a message to explain the reason, which was that the authorities had received instructions to discontinue levying "likin" on

foreign goods. I regret that this message was not delivered to me at Kwei-chou-fu, as I should have reported it in my last letter.

Coal and tobacco, the former predominating, seem to be the staples of trade here. Père Pons said good coal was obtainable in large quantities near Kwei-chou-fu.

I must not fail to record the great civility shown the Mission by the Magistrate of Yun Yang Hsien. Some six miles below the town there are two rapids within a short distance one of the other. At the foot of the first we were met by a Yâmen runner, who stated that he was deputed by the Chih Hsien of Yun Yang to bring chairs and horses to convey me and my suite overland to the head of the furthest rapid. I did not wish to land at the first rapid and was unable to do so at the second, as my junk was on the opposite side of the river to that on which the chairs and horses were. On reaching Yun Yang Hsien I found a very tidy landing stage erected; a space roped off, in case I chose to land, and the Chih Hsien present waiting to receive us.

On the 17th December, about half a day's journey below Wan Hsien, we came upon several parties of men engaged in gold washing. Baber ascertained from those engaged in the operation, who stated that they were not proprietors, but only labourers, that the net result of their work was equal to about 500 cash per diem. This species of industry extends at intervals from the neighbourhood of Wan Hsien down to Chung Ching.

On Christmas day we first came across opium cultivation.

We are off again to-morrow at twelve. Chung Ching is without doubt the great mart of this part of the world. There have been many failures here in the silk trade of late; the overwhelming number of excise stations is the alleged cause.

Mgr. Desflèches and Père Vinçot have shown us every civility possible, putting all their own means of information at my disposal, lending us newspapers and giving us all the geographical assistance in their power.

No. 21.

Lord Tenterden to the Secretary to the Admiralty.

Sir,

Foreign Office, March 15, 1876.

I AM directed by the Earl of Derby to acknowledge the receipt of your letter, marked Immediate, of the 11th instant, and I am, in reply, to request that you will state to the Lords Commissioners of the Admiralty that his Lordship is of opinion that the detached squadron should proceed, as previously arranged, to Chinese waters, as the questions pending between China and this country have not yet been satisfactorily adjusted.

I am, &c.
(Signed) TENTERDEN.

No. 22.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, March 16, 1876.

I HAVE received your despatch of the 7th of January, and I have to convey to you my approval of the letter addressed by you to Mr. Hart, as well as of the Memorandum which accompanied it, copies of which you inclose, relative to Mr. Grosvenor's mission to Yünnan.

I am, &c.
(Signed) DERBY.

No. 23.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, March 17, 1876.

I TRANSMIT herewith a new letter of credence which the Queen has addressed to the Emperor of China, accrediting you as Her Majesty's Envoy Extraordinary and

Minister Plenipotentiary, and I am to desire that you will deliver the same in the usual form.

A copy of Her Majesty's letter is likewise inclosed.

I am, &c.
(Signed) DERBY.

No. 24.

Consul Alabaster to the Earl of Derby.—(Received March 22.)

My Lord,

Hankow, January 14, 1876.

I HAVE the honour to inclose copy of a despatch I have addressed Her Majesty's Minister informing him of the arrival of Mr. Grosvenor and party at Chung King.

I have, &c.
(Signed) CHAS. ALABASTER.

Inclosure in No. 24.

Consul Alabaster to Sir T. Wade.

Sir,

Hankow, January 13, 1876.

I HAVE the honour to report the arrival of Mr. Grosvenor and party at Chung King on the 30th December; they were to leave there on the 3rd January, and apparently were all in good health.

I have not yet received Mr. Grosvenor's letters from Chung King, but he probably waited until his actual departure to despatch them.

I have, &c.
(Signed) CHAS. ALABASTER.

No. 25.

Sir T. Wade to the Earl of Derby.—(Received March 25.)

My Lord,

Peking, January 24, 1876.

IN my telegram of the 20th instant I adverted to conversations with Chinese of mark as having authorized my conclusion that without serious pressure we should obtain neither adequate reparation for the past nor security for the future; and I stated my belief that, in the interest of their own country, some Chinese desired to see such pressure applied as would furnish the Government with an excuse for change, that is, for improvement.

The conversations to which I refer have been in very few instances directly with myself, but they have been reported to me by persons on whose intelligence and accuracy I can thoroughly depend. The sum of the information I have derived from them may be briefly stated as follows:—

The anti-foreign feeling in the country is, on the part of a large majority of the educated class, as violent as ever it was. It has indeed been stimulated by the efforts to introduce foreign inventions and education of a certain influential minority. The leading members of the Central Government, so far as there is one, are in a great degree anti-foreign, and where not altogether bigoted opponents of improvement, yet far too much in dread of the censure of the anti-foreign public openly to countenance innovation. In some particulars they are as bigoted opponents as any in the Empire.

I have spoken of the Central Government above as a term of questionable exactness, for, although the Decrees of the Empresses Regent are not to be set at nought, there seems to be in reality no centre of authority competent to understand and direct the machinery of the State.

The intelligence of the junior Regent, the Empress mother, is not denied, but there is also much heard of her frivolity, expensiveness, and violence of temper. The elder lady, the Empress Dowager proper, is a mild, uninfluential character.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Sir T. Wade to the Earl of Derby.—(Received March 25.)

My Lord,

Peking, January 25, 1876.

I HAVE the honour to forward copies and translations of further correspondence with the Prince of Kung regarding the Yünnan outrage.

I do not propose for the moment to trouble your Lordship with observations upon these papers, the two first excepted. These are a series of evasion and contradictions which it will be my duty in due time to expose; but I have not noticed them, specifically, to the Prince of Kung, and it will depend upon circumstances whether I do so or not. I shall possibly find means of letting His Imperial Highness understand that I am not deceived without direct communication of the fact.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 26.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, December 17, 1875.

THE Prince has to acknowledge the British Minister's despatch of the 12th instant, in which he comments upon the Memorial presented by the Governor-General Li and his colleagues with reference to the inquiry into the murder of Mr. Margary. In this despatch the British Minister expresses surprise at having received no notice of the appointment of the ex-Vice President Sieh Hwan as Commissioner, and equal astonishment at finding the name of the Acting Governor-General of Yünnan among the colleagues of the Governor-General Li as Commissioner for this inquiry. He observes that the rapidity with which the Governor-General Li and his colleagues have completed and forwarded their report is astonishing; and, referring to strong objections urged against the publication of documents, before the conclusion of an inquiry, in the Memorandum of Tsung-li Yamên, dated the 22nd of August last, he remarks that the publication of the report at this juncture is inexplicable. He declares that the statements now made respecting the provision of escorts for Mr. Margary from point to point, and also respecting the failure to give notice beforehand on Mr. Margary's return from Yünnan, are not in accordance with the actual facts, and, observing that the general account now presented is substantially the same with that submitted last summer by the Tsungping Yang, and Taotai Ch'ên Si-chên, he requests attention to his notes of the 20th and 21st August, in which he set forth his reasons for declining to attach any value to these representations.

In reply, the Prince has to observe that, as regards the absence of a communication to announce the appointment of the ex-Vice-President Sieh as Commissioner, to assist the Governor-General Li on his mission, and also with reference to the appearance of the name of the Acting Governor-General Ts'ên as one of the parties to the report, he has already, in his note of the 13th instant, given circumstantial replies to the British Minister's observations.

Touching the remark that the Acting Governor-General Ts'ên has been censured by Decree for his dilatoriness, and that notwithstanding this fact he is found reporting upon a case in which he himself is one of the parties concerned, the Prince has to reply that, for the dilatoriness on the part of the Acting Governor-General Ts'ên, censure has already been expressed in an Imperial Decree; and that what the Governor-General Li has been commissioned by His Majesty to inquire into is the Yünnan case, properly so-called, not by any means a question as to dilatoriness of action on the part of the Acting Governor-General Ts'ên; and, as the report now received is a statement in outline of the Yünnan case itself, the Acting Governor-General Ts'ên is not a person whose name should not be appended to the document.

In reply to the comment on the rapidity with which the report has been presented, and also with regard to its publication, it has to be observed that the Governor-General Li and his colleagues have certainly not been slow in transmitting the report now received from them. The reason is that when Chinese high officers are the recipients of an Imperial mandate to undertake a commission of inquiry, it is the practice to despatch agents in advance, even before they themselves set out on their journey, to collect information secretly, whilst the Commissioners themselves proceed to make inquiries as they travel along. The Governor-General Li and those associated with him had, more-

over, been warned by Decree that "if they indulge in any dilatoriness the consequences of so grave an offence will be more than they will be capable to bear," and they consequently lost no time in forwarding a report in outline of the circumstances, as soon as they had reached the Province. In this report they state, besides, that they have, as they travelled along, held investigation openly and also instituted secret inquiries.

As regards the publication of the Report, the Memorial now received from the Governor-General Li and his colleagues is a document in which application is made that the Sub-Prefect and the Brigadier-General of T'êng-yüeh be provisionally stripped of their rank. Now, according to established regulation in China, it may, indeed, happen that officers of inferior grades may be cashiered by decree without publication of the Imperial commands to this effect; but the Brigadier-General and the other officer named are functionaries of comparatively high rank, and holding, moreover, substantive appointments. In a case where officials are to be deprived of this rank, and arraigned before a Court for trial, publication is absolutely necessary, in order that the Departments concerned may be furnished with the information needful to guide their procedure.* This, also, is a case in which the Chinese constitutional system is concerned, and it is no wise at variance with what is said in the Yamên's Memorandum of the 22nd August respecting non-publication.

Coming next to the contradiction given to the statement that Mr. Margary was escorted from point to point by the district officials, and, farther, respecting his return journey, the Prince has to reply that, in the course of the year 1874, the Yamên of Foreign Affairs issued a passport to Mr. Margary, and likewise wrote to the high authorities of several provinces, including Yünnan, to render him all needful assistance. Without dwelling here upon the assistance which was, in fact, rendered to him at all points along his journey, it is only necessary to remark, in connection with the British Minister's statement, that two officers were sent with him by the Acting Governor-General Ts'ên. That when an officer of this high rank deposes an official to act as escort, notice is sent on, stage by stage, to every Prefect and district Magistrate along the line of route, each of whom is made acquainted with the date of the traveller's arrival within his district, in order that he may carefully render such assistance as is required. Mr. Margary was by this means enabled to reach Burmah in safety, and it cannot be said that the authorities of Yünnan failed to exert themselves to provide him with effectual escort.

In the note now under acknowledgment it is stated that, after reaching Bhamo Mr. Margary wrote twice to inform Li hsieh-t'ai and the Sub-Prefect of T'êng-yüeh that he was about to start.

The Yamên of Foreign Affairs is not in a position to judge with reference to such questions as whether Mr. Margary did or did not write to give notice to the local authorities at T'êng-yüeh; whether or no the letter written was received by the authorities the date at which escorts should have been sent by the said authorities, and the point to which they should have proceeded to meet [the party]; whether, although an intimation was sent to the effect that [Mr. Margary and those with him] were about to set out on their journey back to Yünnan, any one was sent on in advance at the time to give notice to the local authorities; whether Li hsieh-t'ai had or had not any authority to give instructions to the local authorities with respect to sending escorts forward; and whether the notes mentioned in the British Minister's despatch were or were not written to give notice that escorts should be provided, as also what were the circumstances under which the return journey in question was being made.

It is, however, to be supposed that the declaration made by the Governor-General Li and his colleagues, that notice was not sent to the local authorities to send an escort to meet the party on its arrival, is not an imaginary statement.

With reference to the observation that the report now presented is substantially the same as that submitted last summer by the Tsung-ping Yang and the Taotai Ch'ên, the British Minister's reasons for declining to attach any value to which are set forth in his notes of the 20th and 21st of August, to which he requests attention, the Prince would further reply that, inasmuch as the Governor-General Li and his colleagues have received His Majesty's commands to institute their present mission of inquiry, they will be certain (or it will, as a matter of course, be their duty) to apply themselves with earnestness to the judicial investigation of the matter in hand. The case is one which concerns the foreign relations of the Chinese Government in the highest degree (or, the most important interests in the relations between China and a foreign power); and when the evidence, whether affirmative or negative, shall have been impartially dealt with, it will be possible to arrive at a judicial issue.

In the Prince's opinion, so soon as the British officers who have been sent to Yünnan

* *i.e.*, the fixed rules of State procedure.

to be present at the trial shall have reached the province, the Governor-General Li and his colleagues will assuredly be able to hold the trial in a spirit of justice, to the end that the truth may be arrived at.

Inasmuch, however, as the British Minister declares his opinion that he is unable to regard the Memorial of the Governor-General and his colleagues otherwise than as a most unsatisfactory document, the Prince will transmit in full to Yünnan the observations which the British Minister has advanced; and he will communicate further with the British Minister, in reply, on receipt of a memorial and (or) despatches from the Governor-General and his colleagues.

The present communication is now preliminarily sent for the information of the British Minister.

(Signed)

W. F. MAYERS.

Inclosure 2 in No. 26.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, December 19, 1875.

THE Prince has to acknowledge the receipt on the 15th instant of a note from the British Minister, in which he states that a distinction appears to be taken between the terms Shang Yü and Chi Yü.

“In the Shang Yü of the 19th June” (continues the despatch under acknowledgment), “communicated to me in your Imperial Highness’s note of the 24th of that month, the Governor-General Li was directed simply to proceed post to Yünnan, to make inquiries and take action. In the joint memorial communicated to me on the 10th instant it is stated that on the 26th June there had been received from the Emperor a Shang Yü to the following effect:—

“‘According to His Majesty’s pleasure, this day signified, Li Han-chang is to proceed to Yünnan to make inquiries and to take action. It is commanded that he hasten to Yünnan, and, in concert with the Governor-General and Governor, make inquiry in a spirit of fairness into the murder of Margery.’

“Thus it would appear that there were the same day issued two Shang Yü, and that the first was communicated to me, while the second was not. The Imperial commands issued to his Excellency Wu T’ang on the 7th September were also, according to the same Memorial, conveyed in a Shang Yü.

“I take this opportunity of requesting attention to a passage in the Tsung-li Yamên’s Memorandum of the 22nd August, which should properly have been quoted in my note of the 12th instant, when I was speaking of the assumed obligation of his Excellency Li to report upon the dilatoriness of the Acting Governor-General Ts’ên. ‘It will be the duty of his Excellency Li’ (says the Memorandum) ‘to ascertain whether or no the Governor-General and the Governor of Yünnan have been dilatory in their conduct, and to take action accordingly.’”

With regard to the statement in the British Minister’s Note that a distinction is taken between the terms “Shang Yü” and “Chi Yü,” the Prince would observe that by the constitutional system of China, a “Shang Yü” may or may not be supplemented with a “Chi Yü.” With “Shang Yü” a distinction is made between those which are or are not issued for publication, but a “Chi Yü” is never published.

The “Shang Yü” which are published are invariably communicated, but the same course could not well be taken in regard to those which are not published.

A copy of the “Shang Yü,” reverently made, was sent to the British Minister in the Tsung-li-Yamên’s Note of the 24th June last, but it was a “Shang Yü” for publication which could lawfully be communicated, and accordingly, in writing to Her Majesty’s Minister, this first decree was inclosed.

The decree, which his Excellency Li and his colleagues mention having received on the 26th June, being a “Chi Yü” not for publication, could not lawfully be communicated, and hence it was that in writing to the British Minister the second decree was not inclosed.

The British Minister further remarks on the Governor-General of Ssü Ch’uan having conveyed to the ex-Vice-President Sieh his orders to proceed to Yünnan to take action.

The despatch of the ex-Vice-President Sieh was due to a memorial praying that he be transferred thither. His Majesty having signified his approval, a “Chi Yü,” commanding that he be notified, was issued, and for this reason the Yamên could not com-

municate the fact to the British Minister. Moreover, after His Majesty's pleasure had been signified to the Imperial Commissioner, any memorials praying for the appointment of associates, or reporting the *personnel* of his staff, emanated from his Excellency alone.

The British Minister calls attention to the passage in the Tsung-li Yamên's memorandum, where it is stated that it will be the duty of his Excellency Li to ascertain whether or no the Governor-General and Governor of Yunnan have been dilatory in their conduct, and to take action accordingly.

The present memorial of the Governor-General Li and his colleagues presents a general outline of the circumstances; if, when these officers shall have reported, in a further memorial, the action taken by his Excellency Li, a decree for publication be received, the British Minister shall be duly informed.

The same day another note was received from the British Minister, stating that in October last Mr. Vice-Consul Davenport had been directed to attach himself to Mr. Grosvenor's mission, and that Her Majesty's Minister had addressed a letter to that effect to the Governor-General Li. The Yamên will write to inform his Excellency of the fact; meanwhile, they beg to acknowledge the receipt of Her Majesty's Minister's note.

Inclosure 3 in No. 26.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, January 15, 1876.

I THINK it my duty to request your Imperial Highness's attention to a report in the papers received yesterday from Shanghai, to the effect that fourteen men had been sent up from the district where Mr. Margary was murdered to the prisons of the provincial capital. Two of them died on the road, the remaining twelve do not speak Chinese. It may be in your Imperial Highness's power to say whether any credit is to be attached to the above statement.

I shall be obliged to your Imperial Highness to inform me whether any further representation regarding the attack on Colonel Browne's party or the murder of Mr. Margary has been received from the High Commissioner, Li Han-ch'ang, since the publication of his memorial on the 9th December,

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 4 in No. 26.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, January 19, 1876.

IN reply to the British Minister's despatch of the 15th instant, requesting information with reference to a statement received from Shanghai to the effect that a number of prisoners had been sent from the locality where Mr. Margary was murdered, to the prisons of the provincial capital, etc., the Prince has to state that whilst, with regard to the murder of Mr. Margary, the High Commissioner Li has been appointed by His Majesty's Decree to proceed to Yunnan and undertake an investigation into the affair, it is the duty of the high provincial authorities to give orders for the arrest and transmission to the provincial capital of the criminals, as connected with the murder, steps should be taken to apprehend, to the end that on the arrival of the Imperial Commissioner they should be forthcoming to be placed on trial and judiciously dealt with. In October last a despatch was received from the Acting Governor Ts'ên, reporting the receipt of a statement to the following effect from the Sub-Prefect Wu K'i-liang:—

“The nine murderers heretofore apprehended, on their examination being held, are all found to be savages ('Kakhyens'). Two of their number, named Lin Lan-kan and A Yung, have died in prison of the severe wounds they have received. The remaining nine (names given) continue to lie in the prison of the Sub-Prefecture (*i.e.*, at Momein). From their confession it appears that the principals and accessories to the murder in this case number twenty-three all told. Nine having been taken into custody, and two killed in fight by the Government troops, twelve are still at large, for whose apprehension steps are proposed to be taken, in order that the entire body may be sent forward to the provincial capital together.”

The Acting Governor-General further cites a despatch from the Acting Commander-in-chief Yang Yü-k'o to the following effect :—

“ Having obtained information that the criminals in question had banded themselves together at the Yun Yen Tung Shan (Cloud Precipice Cavern Mountain) lying in rear of the Hu Sung Mountain, and that owing to the nature of the ground and the denseness of the jungle, traversed only by steep and difficult paths, it would be no easy task to effect their apprehension, the Acting Brigadier-General of T'eng-yüeh, Tsiang Tsung-han, was additionally commissioned to undertake this task. Having taken under his orders Lieutenant-Colonel Li Chên-kwoh,* and the Chief of the Ts'ien-yai tribe, named Tiao Ying-t'ing, he proceeded to effect the capture of the individuals in question. He has now reported that he reached, on the 1st September, the mountain above-named, where the criminals of whom he was in pursuit had the audacity to offer resistance, and killed in the struggle that ensued Brevet-Lieutenant Kwoh Chu-pao and two men of the force. Tsiang Tsung-han led his troops in person to hem in and attack [the desperadoes], and despatched a picked force of officers and men of special daring, who, at daybreak on the morning of September 2, availing themselves of some relaxation in the vigilance of the defenders, effected the ascent of the hill by laying hold of the creeping plants with which it is overgrown, and hewed their way into the cavern. The malefactors whom they were in search of dashed away, letting themselves down over the face of the cliff to effect their escape; but four were killed on the spot, and eight were taken prisoners. Two ponies which had been ridden by Ma-kia-li (Mr. Margary), and plunder consisting in some forty or fifty articles of a miscellaneous kind, were recovered. The prisoners having been conveyed to T'eng-yüeh, the Acting Commander-in-chief had given orders to the Sub-Prefect, Wi-k'iliang, Lieutenant-Colonel Li-chên-kwoh, and Colonel Ho Yao-t'sêng, Commandant of the garrison of Yung-chang, who had been specially appointed to expedite action in the matter, to escort in person the prisoners captured first and last, numbering fifteen in all, together with the ponies and articles recovered, to the provincial capital. They set out on the 18th September from Momein on their way to the provincial capital to await further proceedings.”

It has to be observed that, when in receipt on a former occasion of a report from Yunnan with reference to the Margary affair, communication of its purport was made to the British Minister, who replied, in a despatch received on the 28th August,† to the effect that “ the transmission of so idle an explanation as that received from the Tsung-ping Yang and the Taotai Ch'ên is calculated to impair any confidence that might have been felt in the good faith of the Chinese Government;” observing further that “ it is impossible for me to attach the smallest credit to the report of these two officers;” and again that the Prince, doubtless, intended the Report to be accepted “ as credible, or it would not have been embodied in a despatch.”

Such being the case, all that the Yamên of Foreign Affairs could do was to await the receipt of a Memorial and Report from his Excellency the Commissioner Li, and to communicate it for the British Minister's information, feeling it not to be expedient to trouble him with the Reports forwarded by the Yunnan authorities themselves. Being now in receipt of the despatch under acknowledgment, they forward the statements above given, as received in October last. In respect of the ability of the prisoners to understand Chinese, or otherwise, the Yamên has no means of forming an opinion.

In reply, furthermore, to the question whether any further reports have been received from the High Commissioner, it has to be stated that on arriving in Yunnan, His Excellency Li memorialized, requesting as a preliminary step that the officials who had failed in the due discharge of their duty be stripped of their official rank. This Memorial has already been communicated to the British Minister. Anything in reports that may subsequently be laid before the Throne, which it is right should be brought to the knowledge of the British Minister, shall be communicated officially for his information.

Inclosure 5 in No. 26.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, January 20, 1876.

I BEG to acknowledge the note which I had the honour to receive from your Imperial Highness last evening, in reply to mine of the 15th instant.

Taking it with your Imperial Highness's earlier communications of the 17th and

* This, there is reason to believe, is the officer better known as Li hsieh-t'ai.—W. F. M.

† N.B.—This despatch was dated the 21st August, 1875, but did not reach the Yamên until the 28th.

19th December, I shall for the moment confine myself to the expression of my regret that a question of the gravity of the Yunnan outrage should be so differently appreciated by the Chinese Government and my own, and should be, to all appearance, so far removed from a satisfactory solution.

I need hardly say that this is not my last word upon the subject. Her Majesty's Government, your Imperial Highness may rest assured, is determined not only that justice shall be done in the present instance, but that the security of the future shall be amply guaranteed.

I take the liberty of referring your Imperial Highness to the closing words of the telegram which, in accordance with the Earl of Derby's instructions, I communicated to your Imperial Highness in my note of the 22nd of October last. They are deserving of very serious attention.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 6 in No. 26.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, January 24, 1876.

ON the 22nd of October last I had the honour to inform your Imperial Highness of the receipt of a reply from the Earl of Derby to a telegram in which I had summarized the negotiations with your Imperial Highness that had been concluded before I left Peking on the 10th of October.

Copies of the correspondence recording the course of those negotiations were forwarded to his Lordship by the hand of Mr. Edwardes, Second Secretary of Legation, and were by him delivered to Lord Derby on the 12th December.

Having duly considered the papers in question, his Lordship has telegraphed to me, in a message dated the 5th instant, that my conduct is approved. He desires me further to state that the investigation in Yunnan is expected by Her Majesty's Government to be a *bona fide* proceeding, and carried out with vigour and earnestness; that Her Majesty's Government also looks for the performance of the other engagements reported by me in the same correspondence, as evidence of friendly spirit and straightforwardness of purpose.

My telegram reporting the publication of the Decree and Memorial, communicated to me in your Imperial Highness's note of the 10th of December, reached Shanghai only on the 3rd instant. Lord Derby had evidently not received it on the 5th.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 27.

Sir T. Wade to the Earl of Derby.—(Received March 25.)

My Lord,

Peking, January 26, 1876.

I HAVE the honour to inclose translations of a Memorial from the High Commissioner Li-Han-ch'ang, and his colleague Sieh Hwan, reporting that there is reason to suspect Li-hsieh-t'ai of being prime mover in the opposition to our entry into Yunnan, and of the Imperial Decree in reply. Both have appeared in the manuscript edition of the "Peking Gazette," but they have not yet been communicated to me by the Prince of Kung.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 27.

Memorial and Decree on Yunnan Affair, published at Peking, January 24 and 25, 1876.

LI-HAN-CHANG, Governor-General of Hu Kwang, Imperial Commissioner for an Inquiry in Yunnan; and Sieh Hwan, ex-Vice-President of a Board, Imperial Commissioner Adjoint for an Inquiry in Yunnan, on their knees represent that a clue has been obtained by investigation to the fact that an officer, lately holding an acting appointment as Captain, did

lay a plan for opposing the entry of foreigners into the country, and to request a Decree, in the first instance, stripping him of his rank, in order that he may be placed on trial.

Your servants have to state that, on being placed in possession of the depositions taken from the prisoners guilty of the murder of Ma Kia-li (Mr. Margary), they appointed additional delegates in the persons of the Taotai T'ing Sze-pin and the Prefect Tsiang Sih-hün, to co-operate with the Financial and Judicial Commissioners of the Province in subjecting the prisoners to rigorous examination. All that the prisoners confessed was that they had committed robbery [and that], owing to a foreigner, (or the foreigners) having discharged a pistol-shot which killed one of their accomplices named A Yung, they then and there resolved to resist apprehension, and murdered Ma Kia-li and his four attendants. They firmly refused, however, to confess who had been their instigator.

Wu K'i-liang, for his part, also affirmed that he knew nothing of this affair, and had no share in planning what took place. Li Chên-Kwoh returned the most absolute denial to the statements made in Wei T'o-ma's despatch,* and it was not until he had been subjected to repeated cross-examination that he uttered a statement to the effect that "in the 12th moon of last year (January, 1875) the notables of the sub-Prefecture of T'êng-yüeh (Momein), on learning that foreigners were about to come forward at the head of a large body of troops, and fearing that they would commit disorders, raised a force of local train-bands for the protection of their own lives and property [of which he], had communicated an intimation." †

The circumstances thus indicated are sufficient in themselves to warrant suspicion; and, coincidentally, the Brigadier-General of the Sui-tsing command, Li Shêng, who was sent forward by your servant Li Han-chang, whilst on his journey, to proceed to T'êng-yüeh, and make inquiries there privately, having returned to the provincial capital, reports as follows:—"That the murder of Ma Kia-li came of the act of lawless offenders who offered resistance to capture for the commission of robbery, ‡ and who secretly gathered together their confederates to obstruct the progress of the foreigners, and prevent them from entering the country.

"[Farther] that, according to common report along the roads, all this was done by Li Chên-Kwoh; but that at the time Ma Kia-li was murdered, Li Chên-Kwoh was not on the spot, nor were any soldiers concerned in the affair."

It appears from the correspondence forming part of the case, that in the 3rd moon of this year (April 6th to May 4th, 1875), the Governor, your servant Ts'ên Yü-ying, received a report from Li Chên-kwoh [forwarding] two official letters addressed to him (Li) on separate occasions by the notables of T'êng-yüeh; and, in this report, there unquestionably appears a statement on the part of Li Chên-kwoh that [he is] "taking vigorous and active precautionary measures with the view of stoutly defending the region under his care." Although Ts'ên Yü-ying wrote commanding him to quiet the people, and prevent any action on their part (*lit.* quiet, or appease and obstruct the people), and allow no unfounded alarm to spread, yet this was after the affair had already taken place, and it was too late.

It appears from this, consequently, that although Li Chên-kwoh had no intention to commit murder, he is liable to a charge of having laid plans to obstruct [the Expedition]; and your servants have agreed, after taking counsel together, that he should not be suffered to take advantage of his official rank as a cover for lying evasions, gaining time with false statements in dread of incurring punishment. They think it their duty to solicit a rescript, in the first instance, stripping of his rank Li Chên-kwoh, a Colonel by brevet, on the list for immediate employment as Lieutenant-Colonel, late acting in the post of Captain Commandant of Nan-tien. [They propose to] bring him up together with Wu K'i-liang, the officer now already degraded from the rank of sub-Prefect, and to order Tsiang Tsung-hau, now already degraded from the rank of Brigadier-General, to be brought without a day's delay to the provincial capital, in order that they may be rigorously examined, as circumstances may require, to the end that the demands of justice may be fulfilled. They accordingly join with your servant Ts'ên Yü-ying, Governor and acting Governor-General, in laying this Memorial before the sacred glance of your Majesties the Empresses and your Majesty the Emperor.

To the above Memorial the following Decree was issued on the 24th January, 1876:—

* Mr. Wade's despatch of the 20th August, in which he stated what had been reported with reference to Li-hsieh-t'ai.

† As in the Decree, the phrase is obscure, both as to the matter communicated, and the person communicated with.

‡ The original is so obscurely worded as to convey no definite idea of time, manner, place, or object of the action indicated.

Li Han-chang and his colleagues have memorialized us requesting that an officer who has vacated the acting appointment of tu-size (captain) be stripped of his official rank, and included among the number of the persons about to be arraigned for the purposes of a judicial enquiry. It has been deposed by Li Chên-kwoh,* lately acting as Captain in command at Mantien, in the proceedings relating to the murder of Ma Kia-li, that the notables of the T'êng-Yüeh (Momein) jurisdiction, having heard that foreigners were coming in that direction, at the head of a large body of troops, collected train-bands for the protection of their persons and property; [and that he] had communicated an intimation.† [Such being the statement made], it is most necessary that a searching investigation be at once instituted, in order to ascertain whether any further circumstances are involved. [We command that Li Chên-kwoh be forthwith stripped of his rank, and handed over to Li Han-chang and his colleagues, to be arraigned together with Tsiang Tsung-hau and Wu K'i-liang, the Brigadier-General and Sub-Prefect heretofore degraded, and subjected as circumstances may render necessary to stringent judicial examination, in order that the demands of justice be fulfilled.] Let the Yamên concerned take note.

(Signed) W. F. MAYERS.

No. 28.

Sir T. Wade to the Earl of Derby.—(Received March 25.)

My Lord,

Peking, January 26, 1876.

IT will be seen that when I brought the Yünnan outrage to the notice of the Chinese Government last March, an Imperial decree was issued directing Liu Yo-chao, Governor-General of Yünnan and Kwei Chou, then absent on leave, to return to his post with all speed. This order, for reasons of his own, he did not obey, and he was in consequence deprived of his office on the 3rd December, and replaced by Liu Chang-yu, Governor of Kuang Si. The latter officer bears a very high character. He was Governor-General of the Two Kuang in 1862, and was translated, in time of need, to this province; but, being poor and clean-handed, he did not long remain here. After his fall for some formal offence, he was reinstated as Governor of Kuang Si. I looked on his appointment at this crisis as of good omen in Yünnan.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

No. 29.

Sir T. Wade to the Earl of Derby.—(Received April 8.)

My Lord,

Peking, February 2, 1876.

IN my despatch of the 26th January, I had the honour to forward translation of a Memorial and Decree upon the Yünnan affair, which had appeared in the manuscript edition of the "Peking Gazette." The printed edition generally contains the decrees the day after the manuscript has appeared. The memorials are not published in print for some ten days later. In cases like the present, the Prince of Kung communicates papers issued for publication in an official note. His Imperial Highness pursued this course in the present instance, and, as there are in the copy so communicated words that did not appear in the text from which the translation, forwarded to your Lordship, was made, I beg to inclose a second translation. The additions in the authenticated document do nothing to remove any objection to it as a most unsatisfactory paper.

Nothing can be clearer than a Chinese official report, when there is no purpose to be served by concealment or evasions. That authorities in the position of the high officers memorializing, should be after ten months no nearer the facts than they represent themselves to be is, in China, simply incredible. Equally incredible is it that, ten months after an event which may possibly produce a rupture between England and China, the Central Government should have had transmitted to it no fuller information than that before us.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

* This is the officer better known as Li-hsieh-t'ai, or Leeseetahee.

† The elliptical conciseness of the quotation leaves the matter communicated, and the recipient of the intimation, subject to doubt.

Inclosure 1 in No. 29.

*The Prince of Kung to Sir T. Wade.**Peking, January 27, 1876.*

(Translation.)

THE Prince was on the point of replying to the British Minister's despatch of the 20th instant, wherein his attention is requested [to the closing words of the telegram communicated to him on the 22nd October last], when, on the 24th instant, he received a second note from the British Minister, stating that he had communicated to Her Majesty's Government [the negotiations concluded with the Prince before the British Minister left Peking, on the 10th October last], and adding that Lord Derby, when writing [had evidently not received the British Minister's telegram reporting the publication of the Decree and Memorial of the 9th December.]

The Prince has made himself acquainted with the contents of these notes, and having now received from the Grand Council a memorial submitted by Li Han-chang and his colleagues, praying that Li Chên-kwoh, lately holding an acting appointment as Captain, be stripped of his office and placed on his trial, and also the Imperial Decree [based thereon], the Prince deems it his duty to communicate to the British Minister a copy of the Decree reverently made, and a copy of the Memorial.

Inclosure 2 in No. 29.

*Amended Translation of Memorial relating to the Inquiry in Yunnan.**

LI Han-chang, Governor-General of Hu Kwang, Imperial Commissioner for an inquiry in Yunnan, and Sieh Hwan, ex-Vice-President of a Board, Imperial Commissioner-adjoint for an inquiry in Yunnan, kneeling, represent that a clue has been obtained by an investigation to the fact that an officer, lately holding an acting appointment as captain, did lay a plan for opposing the entry of foreigners into the country, and request a Decree in the first instance, stripping him of his rank, in order that he may be placed on trial.

Your servants have to state that, on *finding manifest falsehoods and suppressions* in the depositions taken from the prisoners guilty of the murder of Ma Kia-li (Mr. Margary), and the depositions of the sub-prefect, Wu K'i-liang, and of Captain Li Chên-Kwoh, handed in by themselves, they, on the one hand, commissioned the officials, who were placed by Decree upon their staff, to take measures for eliciting the actual facts, as they have reported in their Memorial dated the 1st of the 12th Moon (November 28, 1875), and subsequently appointed additional delegates in the persons of the Taotai Ting Sze-pin and the Prefect, Sih-hün, to co-operate with the Financial and Judicial Commissioners of the province in subjecting the prisoners to rigorous examination. All that the prisoners confessed was that they had committed robbery, (and that) owing to a foreigner (or the foreigners) having discharged a pistol shot, which killed one of their accomplices named A Yung, they then and there resolved to resist apprehension, and murdered Ma Kia-li and his four attendants. They firmly refused, however, to confess who had been their instigator. Wu K'i-liang, for his part, also affirmed that he neither knew aught of the affair, nor had any share in planning what took place. Li Chên-Kwoh returned the most absolute denial to the statements made in Wei T'o-ma's despatch, † and it was not until he had been subjected to repeated cross-examination that he uttered a statement to the effect that "in the 12th Moon of last year (January, 1875), the notables of the Sub-Prefecture of T'êng-yüeh (Momein), on learning that foreigners were about to come forward at the head of a large body of troops, and fearing that they would commit disorders, raised a force of local train-bands for the protection of their own lives and property, (of which *they*) had communicated an intimation to *him*."

The circumstances thus indicated are sufficient in themselves to warrant suspicion; and, coincidentally, the Brigadier-General, Li Shêng, of the Sui-tsing command, who was sent forward by your servant, Li Han-chang, whilst on his journey, to proceed to T'eng-

* The translation forwarded to the Earl of Derby in Sir T. Wade's No. 25 of January 25, 1876, was made from the version issued in the MS. copy of the "Peking Gazette." On comparing this with the copy officially forwarded by the Prince of Kung in his despatch of the 27th January, the omission of an entire paragraph and several clerical errors have been discovered, rendering a fresh translation necessary. A doubtful passage has also been submitted to the Ministers of the Yamên for explanation. Corrections now made are shown in red ink [in italics].

† Mr. Wade's despatch of the 20th August, in which he stated what had been reported with reference to Li-hsieh-t'ai.

Yüeh and make inquiries there privately, having returned to the provincial capital, reports as follows, viz., "that the murder of Ma Kia-li came of the act of lawless offenders who offered resistance to capture for the commission of robbery;* but that, according to common report along the roads, the secret instigation of the lawless savages to obstruct the progress of the foreigners and prevent them from entering the country was the act of Li Chên-Küeh; who, however, at the same time Ma Kia-li was murdered, was not on the spot, nor were any soldiers concerned in the affair." It appears from the correspondence forming part of the case that—

[From this point onward the text is the same in the Prince's despatch with that issued in the Manuscript Gazette, and no alteration of the translation is necessary.]

(Signed) W. F. MAYERS, Chinese Secretary.

No. 30.

Sir T. Wade to the Earl of Derby.—(Received April 8.)

My Lord,

Peking, February 2, 1876.

I HAVE the honour to inclose copy of a paper of instructions with which I desired Mr. Mayers, the Chinese Secretary, to wait on the Ministers of the Yamên, upon the 30th January, also copy of Mr. Mayers's report of his interview with their Excellencies.

It is not worth while to follow the Ministers, step by step, through the series of fictions, puerilities, and prevarications, with which they are used, as in this instance, to sustain a controversy. I knew when I sent Mr. Mayers to the Yamên how little in the way of a practical result, except, perhaps, as regarded Corea, was to be looked for from the interview.

The representations, however, such as I instructed him to make, I conceive it my duty not to omit, and having made them, it is my duty to report them.

It may be at least one day important to show that the Chinese Government was duly warned against repetition of a favourite manœuvre, the publication, that is, without a word of notice to the foreign representative concerned, of a decision, which once pronounced, it will plead fifty formal difficulties in the way of modifying. This was the course pursued in the instances to which my instructions of the 30th January alluded, whatever the Ministers who received Mr. Mayers may affirm to the contrary; and this, to a certain extent, is the course so far pursued in dealing with the Yünnan atrocity. By the first Memorial of the High Commissioners (see my despatch of the 15th December, 1875, Inclosure 3), the Acting Governor-General, Ts'ên Yü-ying, is intended to be cleared of the graver charge of having authorized the attack on Colonel Browne, by the Memorial (Inclosure in previous despatch of this date), Li Hsieh-tai, though possibly to be convicted of suggesting this attack, is to be cleared of the murder, which it will be attempted to fasten on border savages who, as they do not speak Chinese, cannot well be cross-examined.

Anticipation of the verdict, I admit, puts in question any judicial fairness, but, my own experience of Chinese officials apart, I know no Chinese, not official, with whom I am in contact, who views the proceedings in Yünnan otherwise than I do.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

P.S.—I beg to add copy of a note which I thought it well to write to the Prince of Kung when sending Mr. Mayers to the Yamên.

T. F. W.

Inclosure 1 in No. 30.

Memorandum of Instructions to Mr. Mayers.

January 30, 1876.

MR. MAYERS will take with him to the Yamên the Prince of Kung's note to me of the 27th instant, in which were inclosed copies of the last Memorial received from the High Commissioner Li and his Colleagues, and of the Imperial Decree issued in reply on

* The original is here so obscurely worded as to convey no definite idea of time, manner, place, or object of the action indicated.

the 24th, also my reply to that note, of this date, also the correspondence between Mr. Medhurst and the Taotai Fêng, regarding the families of the Chinese murdered at the same time as Mr. Margary. Mr. Mayers will also have with him the Prince's despatch of the 4th March, 1872, inclosing copy of the Memorial from the Yamên on the better observance of the Treaty.

Mr. Mayers will request the Ministers who receive him to explain the meaning of the passage in which the words "t'ung hsin" (communicate intelligence) occur. What was the intelligence and to whom communicated, and he will take down in writing the explanation of their Excellencies. Mr. Mayers will hand to their Excellencies the note I have written to the Prince, in which I state that I do not propose to trouble His Imperial Highness at greater length at present, and he will draw attention to the words in which I have expressed myself to that effect. He will at the same time add that, while for the moment I purposely abstain from further discussion of the story sent up from Yünnan, in respect of its credibility, I feel it my duty to remark on one or two particulars on the manner in which the intelligence from Yünnan is now being presented by the Chinese Government to the people.

After a silence of several months the Government is discovering a singular eagerness to publish the reports sent up from Yünnan. These reports I have pointed out are by no means in accord with those I have received, the main portion of which I have communicated to the Chinese Government. On this, however, I repeat, I am not now about to dwell. The farther comparison of statements must be reserved until the investigation is nearer its conclusion. What is to be apprehended is this, that, as in the case of the Tien-tsin massacre of 1870, the issue of the Missionary Memorandum of 1871, the assault on myself in 1872, some document may be published to the world, or communicated to this Legation, as the last word of the Chinese Government, without any previous understanding with the Minister directly interested. It is, in my opinion, my duty to warn the Chinese Government that such a proceeding, unless the solution announced were eminently satisfactory, would but complicate a case the difficulties of which are, to all appearance, daily increasing.

If explanation of the last sentence be asked for, Mr. Mayers is to say that he is not authorized to enter into discussion of the treatment of this question by the Chinese Government, but that, when giving him his instructions, I explained to him that my words referred to the dilatoriness of the Chinese Government's proceeding in the first instance, the transparent untruthfulness of the reports sent up, the contradictions in the correspondence relating to it since my return to Peking, and the apparent anxiety of the Government to stop my mouth with the precipitate publication of reports which no Chinese to whom I have shown them affects to believe; to say nothing of the evidence in my hands.

Another point is the mention of my own name in the last published Memorial. I am perfectly prepared to be referred to the Yamên's Memorial of the 26th September, a large part of which is devoted to demonstrating that foreigners have no concern with forms of language that appear in correspondence between the Emperor of China and his Ministers. If China is in reality going to establish Missions abroad, her Government will soon learn that it is not considered courteous for any Government, in papers published by authority, to speak of foreign Representatives as if they were coolies. In the Memorial presented by the Yamên to the Throne in 1872, I objected, when the draft was shown to me, to the insertions of my name as "Wei To'ma," and it was withdrawn. I was spoken of as the Minister of the British Government. The words "British Government" ought not, as I have argued, to be placed in the body of the column, but the manner in which I am spoken of in the last Memorial of the Yünnan High Commission is even more offensive. I have not thought fit, after all that has passed, to make allusion to this in the note this day sent in, but it is my duty to the Government of Her Majesty the Queen, whose dignity is concerned when a slight is put upon her Representative, not to leave so manifest a discourtesy unnoticed.

I wish to recall, for the recollection of the Yamên, my intimation that Mr. Grosvenor and his party would return either by way of Birma or through China, as might prove convenient. I have received a telegram from the Indian Government to the effect that an escort will be ready to meet Mr. Grosvenor and his party at the boundary of Burma and China. I shall write to the Prince of Kung to request that the necessary instructions be given to the proper authorities in Yünnan on this subject. I shall at the same time forward a letter to Mr. Grosvenor, which I shall request may be transmitted to him with all speed. If not at Yünnan by this date he should be there in a few days.

Inclosure 2 in No. 30.

Memorandum of Interview with the Ministers of the Yamên, January 30, 1876.

ON the Ministers' attention being drawn to the observations made respecting the course taken by the Chinese Government in its publication of documents, &c., the Assistant Grand Secretary Shên demurred to the statement that in 1870, 1871, and 1872, Decrees or other documents (such as the Missionary Circular) had been published or circulated by the Chinese Government without reference to the opinion of the foreign Ministers concerned. In the Tien-tsin case M. de Rochechouart had been in direct communication with Tsêng Kwo-fan. The Missionary Circular of 1871 was primarily addressed to the French Minister, who, indeed, agreed to much that it contained, and was communicated to the British Minister at his request. It was never circulated in the provinces, but merely forwarded it by the Yamên to the Ministers Superintendent at Tien-tsin and Nanking for their information. Mr. Mayers replied that, be this as it may, the Provincial Governments generally are known to have received copies of the Yamên's Memorandum, and to have acted upon it as though it were established law. A case in point in Fuhkien was recalled to mind. Touching the affair of 1872, the Ministers Shên and Tung similarly contended that the action taken by the Yamên was preceded by consultation with the British Minister. In the present instance, whilst perfectly comprehending the nature of Sir Thomas Wade's apprehension, his Excellency Shên had to reply that, so far as Memorials from the High Commissioner Li are concerned, it is certain that he will not formulate his Report before Mr. Grosvenor arrives in Yünnan, and that Mr. Grosvenor will be in a position to check whatever evidence is produced at the trial or reported by his Excellency Li. As for the purport of Decrees, no Minister dare speculate on their probable tenor.

Touching the mention of Sir Thomas Wade in the Memorial as simply "Wei T'o-ma," in precisely the same manner as the most ordinary person, without any semblance of respect or acknowledgment of the courtesy due to a foreign Representative, the Ministers generally defended this on the ground that it is the rule in Memorials to the Throne to speak of all individuals, be their rank what it may, by name as well as surname. This, Mr. Mayers replied, may be the case with subjects of the Emperor, though even here the rank of the official is denoted by his proper title, but the Representative of a foreign Sovereign stands in a different category. His Excellency Ch'unghow upon this took up the subject, addressing himself rather to the Assistant Grand Secretary Shên, as explaining the matter to him; and whilst repeating that the memorialist in Yünnan was only following the rule which applies in such cases where Chinese subjects are concerned, though it must be admitted that there was some remissness in speaking thus of a foreign Minister. His Excellency Mao volunteered the observation that the person who drafted the Memorial did not know any better, upon which Mr. Mayers asked from whence, pray, did he obtain the two characters "T'o-ma," in Sir T. Wade's Chinese name, which certainly do not appear in the official correspondence? His Excellency Shên seemed for an instant disconcerted by this observation, but quickly rejoined: "Ah! it is easy to see that you suspect the Yamên of having called the British Minister 'Wei T'o-ma' in their despatches to his Excellency Li; but you may rest assured they have done nothing of the kind."

His Excellency Tung interposed, remarking that, for his part, Sir T. Wade might describe him in any way he chose in his reports to his own Government without causing him any displeasure.

On his attention being called to the concluding paragraph of Sir T. Wade's remarks on the subject, his Excellency exclaimed: "This is giving still a wider scope to the subject." Mr. Mayers replied that it was as a want of respect for the Sovereign whom Sir T. Wade represents that the question was brought to the Ministers' notice. They were further reminded of the designation properly applied to the British Minister in the Memorial of 1872, which was laid before them; and they were asked how it was that such ignorance of what is fitting, as they plead in justification of the expression contained in the Yünnan Memorial, should possibly exist.

(Signed)

W. F. MAYERS, *Chinese Secretary.*

Inclosure 3 in No. 30.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, January 30, 1876.

I HAVE the honour to acknowledge the receipt of your Imperial Highness' note of the 27th instant, inclosing copies of a Memorial and Decree upon the subject of the Yünnan atrocity, which I had already perused in the manuscript edition of the "Peking Gazette."

There is a passage in these papers which I do not perfectly understand, and which, consequently, I have instructed Mr. Mayers, the Chinese Secretary, to request their Excellencies the Ministers of the Yamên to explain.

I do not propose, for the present, to trouble your Imperial Highness regarding them further than with the intimation that translations of them will be forwarded, as a matter of course, to the Earl of Derby.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 31.

Sir T. Wade to the Earl of Derby.—(Received April 8.)

My Lord,

Peking, February 3, 1876.

IN my despatch of the 2nd instant, I adverted to a conversation between Mr. Hart and the Envoy-Designate Kuo Sung-tao. The Envoy was paying Mr. Hart a visit at the time of the China New Year, and congratulated him on the completion of his Report on the taxation of foreign trade, which he had been enabled to send in just before the New Year (26th January).

His Excellency Kuo himself, by his own account, heartily approves Mr. Hart's scheme of amendment, with the particulars of which, I may observe, I am as yet unacquainted. Having expressed himself in this sense, he went on to deplore the want of initiative which distinguishes the Central Government. This, as your Lordship is aware, is almost identical with the Tsung-li Yamên, four of the five Members of the Great Council, which is really the fountain of authority, being Members of the Yamên. Some of Mr. Hart's propositions, it appears, will be difficult of acceptance, because they will clash with the collection of the li-kin or trade tax; against which, however, it should not be forgotten that censors are continually supporting the complaints of the native mercantile class.

The Central Government has taken no decision on Mr. Hart's Memorandum, but has sent it to the Provinces, the Governments of which, says the Envoy Kuo, will not understand its merits, and will put forward objections that will most likely involve serious modifications.

He went on from this to the Yünnan affair. He would be ashamed, he said, to go to England, until this was settled. What did I think, asked the Envoy, of the Memorials and Decrees that have been appearing in the "Peking Gazette."

On being told that, I was much dissatisfied, he replied that so was he. He fully admitted that by proper management an early settlement of the affair might have been arranged, and that every day's delay was adding to the difficulty of a satisfactory arrangement.

He also shared my apprehension that by some ill-considered declaration, the Chinese Government might commit itself beyond recall.

The Envoy next adverted to Corea, to the state of relations between China and which country Mr. Hart had been referring as calculated to add to the embarrassments of China.

His Excellency declared that he thought the policy of China entirely wrong in regard to Corea. He would himself, he said, have accepted the responsibility of Corea in the quarrel with Japan, and have opened the country to all nations. He repeated what is known to be the opinion of himself, and a few others, that the proper course for China to pursue, is the improvement of intercourse with foreign nations, and not the provision of means, materially, of defence against them; which latter is the course at this present moment most in vogue with her politicians.

Mr. Hart, it seems, at the time that the occupation of Formosa by Japan, was the matter of nearest concernment in 1874, had submitted to the Tsung-li Yamên, a paper of

suggestions regarding means of defence in time to come. Referring to this, his Excellency Kuo observed that China was not ready for so much of effective organization as Mr. Hart's Memorandum of 1874 would involve. He would rather support the propositions just now submitted, which are in the direction of an expansion of commercial, consequently of pacific intercourse.

Mr. Hart, who sees him to great advantage, has formed a high opinion of the Envoy Kuo, as a man of honesty, clearness of sight, and determination; and this without forgetting that the Envoy is always a Chinese, and that the chief purpose of his confidence is probably to obtain light as to the conduct of the Yünnan affair. On the other side, we must not forget the remarkable line taken by the Envoy Kuo in 1859, when, as I have already mentioned, he denounced Prince T'êngkolinsin for having opened fire upon us; nor the character that has clung to him of being an original and determined man. His colleague, the Envoy Hsü, who is of a very different type, implies that this is his character, and more or less censoriously; for there is evidently no love lost between them. The Minister Ch'unghou told Mr. Hart that the Grand Secretary Wenti'ang differs materially from the Envoy Kuo in opinion, but respects his tenacity.

It is remarkable that in the conversation with Mr. Hart, which forms the subject of this despatch, the Envoy Kuo seemed unaware that I had instructed Mr. Grosvenor to go to Momein. This of course may have been a pretence of ignorance. Otherwise it would seem that all the Members of the Yamên are not for certain made acquainted with all the correspondence on certain subjects.

It will be remembered that there was an instance of this division of parties within the Yamên during the final discussion of the Formosan question in 1874.

I record matter such as this despatch is devoted to, because I conceive that it will possibly contribute towards the formation of a decision in the grave question which necessarily absorbs me; also, because it bears with more or less advantage upon a knowledge of the Minister who is about to represent China in England.

I trust that these considerations may excuse the length of my observations.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

No. 32.

The Secretary to the Admiralty to Lord Tenterden.—(Received April 12.)

Sir,

Admiralty, April 12, 1876.

I AM commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Derby, that a telegram has been received from the Commander-in-chief in China, reporting the arrival of the four frigates of the detached squadron at Hong Kong,* and that, in compliance with the wishes of Her Majesty's Minister, they would proceed in about a fortnight to Shanghai.

I am, &c.

(Signed) ROBERT HALL.

No. 33.

Sir T. Wade to the Earl of Derby.—(Received April 15.)

(Telegraphic.)

Peking, April 3, 1876.

THE Mission, from a letter received to-day from the Secretary, appears to have arrived on the 6th ultimo at the Provincial Capital, all the members of it being well, and satisfied with the manner in which they had been treated during their journey.

My instructions to the Secretary, of which I forwarded a copy in my despatch of the 16th of December, had been received by him, as well as the English translation of my letter to the High Commissioner Li.

No. 34.

Consul Alabaster to the Earl of Derby.—(Received April 18.)

My Lord,

Hankow, February 19, 1876.

I HAVE the honour to forward, herewith, a copy of a despatch I have addressed to Her Majesty's Minister at Peking, reporting the arrival of Mr. Grosvenor's mission at Hsü Chow Fu, about 300 miles beyond Chung King.

I have, &c.
(Signed) CHAS. ALABASTER.

Inclosure in No. 34.

Consul Alabaster to Sir T. Wade.

Sir,

Hankow, February 19, 1876.

I HAVE the honour to report that I have just learnt from the Taotai that he has indirectly heard of the arrival of Mr. Grosvenor and party at Hsü Chow Fu, about 300 miles beyond Chung King.

They had determined to proceed by a different route than ordinarily taken, and would probably, therefore, not reach Yünnan Fu till the end of this month, and, while on the way, it will be uncertain when we shall hear from them.

The report of their arrival at Yünnan Fu should reach Hankow about twenty days from their reaching that city.

I have, &c.
(Signed) CHAS. ALABASTER.

No. 35.

Sir T. Wade to the Earl of Derby.—(Received April 24.)

My Lord,

Peking, February 23, 1876.

AS my telegram of the 16th instant will have informed your Lordship, I had received from the High Commissioner Li, and, I should have added, his colleague Hsüeh, or Sieh, a note dated 29th January.

I have the honour to inclose translation of this note, with copy of my reply to it of this date: also copy of a despatch to Mr. Grosvenor, which the Tsung-li Yamên has promised should be sent to him; copies also of two notes to the Prince of Kung, the one transmitting to His Imperial Highness's care my despatch to Mr. Grosvenor, the other my note to the High Commissioners. The letter is separate, as it has appended to it copy of this note, the object of which I am specially anxious that the Prince should understand.

Mr. Mayers was at the Yamên again to-day, when the Ministers repeated the statement made a few days ago, namely, that since the High Commissioners' last Memorial they had had nothing from Yünnan. The High Commissioners' note was formally addressed to me in an official cover, but that, when forwarding it, their Excellencies should have made no further communication to the Yamên is as incredible as the assertion that the Yamên has no details respecting the Yünnan affair except those given in the two Memorials already published, translations of which have been forwarded to your Lordship. The note to my address, I have the best reason for believing, lay two days at the Yamên before it was sent to me.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 35.

Commissioner Li Han-chang to Sir T. Wade.

(Translation.)

Yünnan Fu, January 29, 1876.

THE writer had the satisfaction, in the early part of last summer, of at length enjoying a conversation with the British Minister on his visit to Hu Peh, and he has not ceased ever since to regret the slight degree of attention it was in his power to show at

that time. He has now to acknowledge the receipt of the British Minister's note of the 15th December, which reached him on the 28th instant, and in which a copy was inclosed of the note previously addressed to him in October last from Shanghae.

On perusal of this communication he would observe that [the conduct of] the officials and people of Yünnan, in failing to afford protection to the British officers who came forward from the side of Burmah provided with passports, and thus leading to the murder of Mr. Margary and the obstruction of Colonel Browne, was indeed most wrong and reprehensible (or, altogether outside of what is right). Having been commissioned by His Majesty to institute inquiry and take action in this matter, were the writer to do otherwise than prosecute the investigation in the most earnest and searching manner, he would fail in responding not only to the desire which actuates his own Government to consolidate with all care its international relations, but also to the purpose which the British Minister cherishes of drawing closer the bonds of harmony between friendly States. With these considerations in view, he has sought for information along the line of his journey since setting out from Hu Peh, and besides this, he has dispatched emissaries to proceed in disguise to the scene of the disaster, for the purpose of making secret inquiries. He wrote, in addition, to the Acting Governor-General Ts'en, desiring him to have the guilty parties and witnesses apprehended and brought up for trial. On reaching Yünnan he appointed capable delegates to conduct the examination with all needful stringency, and [caused], first and last, the civil and military functionaries [implicated in] the affair to be stripped of their rank and placed on trial, holding it imperatively requisite that the actual truth be elicited, to the end that the demands of justice be satisfactorily attained.

The British Minister observes, in his note now under acknowledgment, that what "is essential is that there should be no doubt as to the identity of persons who may be brought to trial on the credit of statements that may be made, either for the prosecution or the defence." This is a remark which proves how thoroughly the British Minister appreciates the principles which should govern affairs, and the writer cannot feel otherwise than gratified by its expression.

The prisoners who have at present been brought before the Court, have made distinct confessions, of the truth of which there can be no doubt; whilst, with regard to the circumstances affecting the civil and military officials who have been stripped of their rank, depositions are at this moment in process of being taken. On Mr. Grosvenor's arrival, now shortly to be expected at Yünnan Fu, so soon as he shall have been present as a spectator of the proceedings [the case] will assuredly be made perfectly distinct [or, intelligible]. The British Minister may feel assured that, when the time arrives, attention shall be paid to his expressed wish, that while a Memorial is, on the one hand, laid before the Throne by the writer, a report shall be made, on the other, by Mr. Grosvenor to the British Minister; [after which], on a decision being arrived at in consultation, the penalty of justice shall in each case be carried into effect according to law.

As regards Mr. Grosvenor's future movements, the writer will lay strict injunctions upon the local authorities to afford him protection upon his journey, by whatever route he may shape his course; and, during his stay in Yünnan, he shall receive entire protection and support at the writer's hands. He has no doubt that Mr. Grosvenor [will] discuss affairs [with him] in a spirit of equity [and this being the case], it will of course be possible to unite in the fullest and most friendly efforts towards the arrangements to be discussed, in no wise failing in the due estimation [of all that has to be considered].

The letter forwarded for delivery to Mr. Grosvenor shall be handed to him in person. Mr. Grosvenor has already written a note, which was received in the course of last month, to mention that he has dispatched some stores from Shanghae to be forwarded viâ Bhamo to Yünnan; and the writer has sent an officer for the special purpose of proceeding to meet and take charge of the package. He would add that, according to letters from Sze Chuan, Mr. Grosvenor set out from Ch'ungk'ing Fu on the 3rd January, so that his arrival here may be looked for within the next few days; and he takes the opportunity of expressing his wishes for the British Minister's prosperity.

P.S.—It will be satisfactory to the British Minister to know that in the month of September last, the Vice-President Sieh received His Majesty's commands to proceed to Yünnan to assist in the pending proceedings, and that he is now co-operating in the consultations and action in progress. He incloses his cards with compliments.

Inclosure 2 in No. 35.

Sir T. Wade to the High Commissioners Li and Sieh.

Peking, February 23, 1876.

SIR THOMAS WADE presents his compliments to their Excellencies Li and Sieh, High Commissioners. He begs to thank the High Commissioners for their note dated 29th January.

Sir Thomas Wade assumes that Mr. Grosvenor will ere this have arrived at Yünnan Fu. His instructions are to return by way of Manwyne, through Burmah, and the Government of India has already sent an escort to Bhamo to wait until it is required. As soon as the Agent of the Government of India is apprised of Mr. Grosvenor's approach, the escort will advance to the frontier to receive Mr. Grosvenor.

Their Excellencies are hereby informed of this arrangement, in order to render all misunderstanding on the subject of foreign escorts impossible.

Compliments,
(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 35.

Sir T. Wade to Mr. Grosvenor.

Sir,

Peking, February 23, 1876.

ON the 15th instant the Tsung-li Yamên forwarded me a note to my address from the High Commissioner Li Han-ch'ang and his colleague, the ex Vice-President Sieh. I inclose copy of this paper in original and translation.

In earlier despatches, which I hope may have reached you, I have informed you that the nomination of the ex-Vice-President Sieh as the colleague of the Governor-General Li, though the Decree so associating him with the latter high officer was issued on the 7th September, was not made known to me until three months had passed, and then indirectly, that is to say, by communication of a Memorial sent up by the High Commission, in which the appointment was noticed. The Acting Governor-General Ts'ên Yü-ying, whose sins of commission or omission it was one of the ostensible duties of his Excellency Li to investigate, was also joined with the memorialists in the representation referred to. The purport of this Memorial was to the effect that the people of the Momein jurisdiction, being alarmed by the rumoured approach of a foreign force, had called out the militia, and that bad characters, apparently Chinese, had profited by this circumstance to join the frontier tribes in an attack on Colonel Browne's party.

The information in my possession forbids me, as you are aware, to accept any statement so absurd, and the antecedents of the ex-Vice-President Sieh, whether as a Minister of the Tsung-li Yamên or otherwise, are not favourable to the conclusion that, in appointing him to the Commission, the Chinese Government was determined to act fairly by this unfortunate case. I have written all this in my despatch dated 14th December, which was forwarded to you in triplicate; but as this may not have reached you, I have here repeated briefly the opinions I therein stated. I repeat at the same time my instructions, to the effect that you are to make your stay at Yünnan Fu as short as possible; that if a respectable number of witnesses be produced at that city, you are to instruct your deputies to hear what they have to say, and, should their evidence be greatly at variance with that I have made known to you, to confine yourself to pointing out the discrepancy, and then, insisting always on my injunction that no one condemned in the proceedings is to be put to death till the Tsung-li Yamên and the Legation shall have been communicated with, to prepare a plain report, copy of which, without debate, you are to apply to the High Commissioners to send on to me. If the authorities insist on torturing any witness, your deputies are to protest and withdraw. His Excellency Li is farther to be requested to secure the safe passage of yourself and your whole party to Manwyne; and thence, when Mr. Margary's remains have been recovered, and any inquiry you may see fit to institute on the spot completed, to the frontier, where you will be met by the escort which by orders of the Government of India is now waiting for you at Bhamo. The Tsung-li Yamên has been informed that the escort in question is at Bhamo, and I am writing myself to his Excellency Li in the same sense, in order that there may be, in this instance, no pretext of misunderstanding possible.

You will, of course, do all that in you lies to keep the Agent of the Indian Government at Bhamo informed of your movements; and you will be careful not to separate

your party from the Chinese escort which, as the High Commissioner has promised in your note, shall be furnished you, until you find yourself in the presence of the escort sent from Bhamo to meet you.

Yours, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 4 in No. 35.

Sir T. Wade to the Prince of Kung.

Sir, *Peking, February 23, 1876.*
I HAVE the honour to inclose herewith to your Imperial Highness the despatch addressed to the Honourable Mr. Grosvenor, which I desired Mr. Mayers, on the 17th instant, to request their Excellencies, the Ministers of the Yamên, to be so good as to have transmitted to Yünnan, and I shall be obliged by its being forwarded to its address.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 5 in No. 35.

Sir T. Wade to the Prince of Kung.

Sir, *Peking, February 23, 1876.*
ON the 30th January, Mr. Mayers, by my desire, informed the Ministers of the Tsung-li Yamên, that the Government of India had sent an escort to Bhamo, with orders to await intelligence of Mr. Grosvenor's approach at that station.

I have the honour to inclose a note, in which I have communicated this intelligence to the High Commissioner Li, and his colleague, the High Commissioner Sieh, and which I shall be obliged to your Imperial Highness to cause to be forwarded to their Excellencies.

A copy of the note in question is appended, for your Imperial Highness' information.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 36.

Sir T. Wade to the Earl of Derby.—(Received April 24.)

My Lord, *Peking, February 24, 1876.*
IN continuation of my despatch of the 2nd instant, I have the honour to forward copy of a Memorandum, the substance of which, by my desire, Mr. Mayers has communicated to the Ministers of the Yamên; also copy of his Report. The papers form part of the history of the Yünnan case, and may have hereafter to be referred to. There is nothing in them that, for the moment, calls for special remark.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 36.

Instructions to Mr. Mayers.

February 17, 1876.

MR. MAYERS is to state to the Ministers who may receive him at the Yamên, that the object of his visit is twofold.

First, I have received the note their Excellencies were so good as to forward me from the High Commissioner Li Han-chang. I presume that his Excellency has sent up some further Report of his proceedings in Yünnan; and I shall be obliged by a communication of its substance, if communication of the Report *in extenso* be not possible.

Next, I wish Mr. Mayers to explain the remark which their Excellencies appear to have misunderstood the other day (30th January), with reference to the premature publication of matter, or the adoption of any particular course of proceeding, without previous consultation with myself.

The incident of 1870, to which I referred, was not the publication of papers by Tsêng Chung-t'ang. His Memorial spoke the truth, and was honourable to him in every way. The action I referred to, was that taken in Peking after the Chargé d'Affaires of France had returned to Peking.

Again, in 1871, the paper known as the Missionary Memorandum, had not been communicated to foreign Representatives in general. The only two who had seen it were myself and the then Minister of Russia. I knew that it would give offence, and defeat its purpose; and, as the Grand Secretary, Wénsiang was aware, I had arranged to offer some suggestions regarding it; but it was hurried out, and the result was what I had anticipated. The first sentence of my note subsequently written to the Grand Secretary Wénsiang (21st June, 1871), establishes this.

The case of 1872 may be told in a few words. The condition on which I insisted as important, was that the title of Her Majesty the Queen should be placed on a level with that of the Emperor of China, in the Memorial published in the "Gazette." In the manuscript edition of the "Gazette" this condition was fulfilled; but in the printed edition which makes the round of the Empire, it was violated; the Yamên declining all responsibility, and as an *amende*, unable to do more than cause the reprint of 117 copies of a particular edition.

It is impossible to describe proceedings of this sort, otherwise than as manœuvres; and the Ministers of the Yamên must perceive that if these be resorted to on one side in a discussion, they become equally justifiable on the other.

A letter will be ready to-morrow to be despatched to Mr. Grosvenor, who ought to have arrived at Yünnan some days ago.

I observe that Yang Yü-k'o, late Acting Commander-in-chief of Yünnan, has been moved to Kuang Si. I should like to be informed of the reason of this, as his evidence will be more than possibly required at Yünnan Fu. I should also like to know what is become of Po-ch'ang, who was acting in the same capacity at Ta-li Fu, in December, 1874.

(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 36.

Memorandum of Interview with the Ministers of the Tsung-li Yamên.

February 17, 1876.

MR. MAYERS saw the Ministers Shên, Tung, Mao, and Ch'unghow at the Yamên, in pursuance of Her Majesty's Minister's instructions of this date.

The Ministers' replies to the observations addressed to them were as follows, his Excellency Shên being the principal spokesman:—

No further communication relating to the Yünnan affair had been received from his Excellency Li, who is, of course, awaiting the arrival of Mr. Grosvenor in Yünnan. His Excellency had written about other matters. Anything which ought to be communicated to Sir Thomas Wade would be made known to him without delay.

The Ministers would with pleasure forward a letter for Mr. Grosvenor.

Respecting the three cases referred to by Sir Thomas Wade, the Ministers made no answer with reference to that of 1870.

As regards the Missionary Circular of 1871, they contended that it was communicated to the Foreign Legations in general at the direct request of the several Ministers, and then only in a consultative way.

Touching the Memorial of 1872, his Excellency maintained that the only fault had lain with the "Gazette" printers, who, with a carelessness they often display, had ignored the correct form in which the text of the Yamên's Memorial had acknowledged the due position to be attributed to the characters Ta Ying Kwo (Great Britain).

General Yang Yü-K'o, the Ministers stated, has been removed from his tenure of the acting command-in-chief in Yünnan merely in pursuance of the regulation that military officers above the rank of Lieutenant-Colonel should not serve in their native provinces.

This rule, which was necessarily disregarded during the rebellion and in the years immediately ensuing, is now about to be enforced by successive removals.

Of General Po-Ch'ang, who was to have left Yünnan for Peking last year, none of the Ministers knew anything whatever. They had not heard whether he had reached Peking, but they thought he could not have done so without their being aware of the fact.

(Signed) W. F. MAYERS, *Chinese Secretary.*

Sir T. Wade to the Earl of Derby.—(Received April 24.)

My Lord,

Peking, February 24, 1876.

I HAVE the honour to inclose Memorandum of a conversation between Mr. Hillier and his Excellency Hsü Ch'ien-shên, the junior Envoy-Designate. Mr. Hillier is a very promising speaker, and, I think, turned his opportunity to good account.

So far as the Yünnan outrage is concerned, the chief interest in what fell from the Envoy Hsü lies in his attempt to compare the massacre of Tien-tsin with the incident in Yünnan, if I may say so, to the disadvantage of the latter. He is a great chatterer, but, connected as he is, I am persuaded that he does not speak of the Yünnan affair without knowledge of the opinions held by the Chiefs of the Government; possibly not without their inspiration.

My line has been to insist upon it that the Yünnan atrocity is much graver than the Tien-tsin massacre, not only because the authorities, having been duly apprised of the dispatch of the mission from India, were more directly chargeable with neglect of due precaution, if not with active hostility, but because the Yünnan crime has, at an interval of but five years, succeeded the Tien-tsin massacre.

The increase of attention of the Chinese to foreign matters, as shown by the Envoy's allusion to the Tichborne case, &c., is noteworthy. So, on the other hand, is his observation that, in the Tien-tsin case, China had got off very cheap.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 37.

Memorandum.

I CALLED on Hsü ta jên this afternoon, and sat with him for nearly two hours. He was in a particularly talkative humour, and pressed me to stay on two or three occasions when I rose to take leave.

Soon after my arrival I mentioned that there had been a sale of fancy articles at the French Legation last evening for the benefit of the schools and hospital established by the Sisters of Charity. Hsü ta jên seemed astonished to hear that so much interest was taken in the work of the sisters by foreigners in Peking, and expressed some doubt as to the sincerity of the professions of the former in every respect. I endeavoured to explain to him how much good they did among the sick and poor, and in how great esteem they were held by foreigners of every sect and creed. He then remarked that that would explain the indignation of foreigners at the Tien-tsin massacre, which, in his opinion, was a much more serious affair than the Yünnan outrage. In the one case a massacre occurred in a city, close to the capital, where foreigners of several nationalities were murdered, the only accusation against them being one which there was no evidence to support; while the Yünnan outrage was perpetrated in a distant border province, and in the open country, only one man being killed. "It is all very well to say," he continued, "that the Tien-tsin massacre was the act of the populace, whose sudden outbreak it was impossible to control, but the Chinese Government could hardly acknowledge that it was unable to keep its own people in check in such a place as that." The Chinese, he considered, got off very easily on that occasion, owing, as they very well knew, only to the fact that France had at the time other matters to attend to.

I did not attempt to discuss with him the relative gravity of the two outrages between which he was drawing a parallel, but pointed out that the Yünnan affair was still under investigation, and that he could hardly speak with sufficient positiveness about it; there were several matters that had yet to be cleared up; to what extent, for instance, there had been complicity. "Ah!" said Hsü ta jên, "and I don't know whether that matter ever will be cleared up. There is one man who no doubt could tell, but he won't, and that is Ts'ên Fu-t'ai." He then went on to compare the Yünnan affair to many cases relating to purely Chinese matters that have not been, and never will be, cleared up. He mentioned in particular some recent case, I think one upon which a long Memorial has lately appeared in the "Gazette." They never would be cleared up, because the officials would not speak out, and this Sir T. Wade must know very well; he had not been all these years in China without making that discovery. The Tichborne case was a proof that even in England judicial inquiry was not always successful. He declared that Li-chung-t'ang did not know

the particulars of the case when taken to task by Sir T. Wade at Tien-tsin, nor were they fully known to his Excellency or the Yamên now. His brother the Commissioner, whose business and interest it was to investigate the matter thoroughly, was not certain to find out all the particulars, the place was too far off. This last remark I am not quite positive about, as he dropped his voice to a whisper, which was almost drowned by the noise of a child crying in the next room.

His Excellency then asked whether Sir T. Wade had returned the visits of the Heads of Department. I said he had returned some yesterday, and had been out with the same intention to-day.

Hsü ta jên had heard that the Japanese Minister was giving a breakfast party, and asked if all the foreign Ministers were to be present. I replied that I believed Sir T. Wade had gone, but did not know whether all the foreign Representatives were to be there. He then asked if there were to be ladies present, to which, as before, I answered that I did not know.

His Excellency thereupon began to speak of the Japanese Government in not particularly friendly terms. Japan, he said, would, he was sure, attack Corea, and China would certainly let them both alone. Advice had been given to Corea, but he did not see why Japan should trouble China about the matter, which was not one that came within the range of Treaty provision. The Americans did not do things in that way. He mentioned Mr. Mori's visit to Li-chung-t'ang, which he said was ill-advised. Mr. Mori had not spent more than a day or two in negotiations with the Tsung-li Yamên, when he went off to Pao-ting Fu to see Li-chung-t'ang, who gave him some good advice, but that was all.

As usual, he asked me a great many questions about England and English ways, and from that the conversation drifted on to the subject of his intended mission. He said he was very anxious to get away, and was tired of being kept in this suspense. He had resigned his appointments in Tien-tsin, and had come to Peking to be in readiness to start, and here he was, with no pay and very little to do, waiting on and on. He had thought of applying for leave and going to his home, but then again he wanted to be on the spot to see what turn affairs took. He was anxious to go to England, because he wanted to see foreign countries, but still more that he might get his mission over, and obtain sufficient "lao chi," or meritorious service, to start him on the road to official advancement in his career in China. Now he was neither one thing nor the other; he was not a "T'ang kuan" nor a "Ssu kuan" (senior in an office nor clerk of Department), but only an expectant Taotai, with no prospect of being anything else until he had accomplished his mission. His Excellency Kuo, he said, was better off; he had got his "lao chi" before he had worked for it, though he, by accepting the post of Envoy, had missed being appointed Governor of Fu Kein, an opportunity, now that it had once passed by him, he would never have again.

He deplored the delay which had taken place in the despatch of the mission of inquiry, saying, that by putting it off so long matters in Yünnan had been allowed to be, as I understood him, "cooked up," or "involved in confusion." The expression that he made use of was new to me, and I regret to say that I have not retained it. Mr. Grosvenor's Report, however, must soon arrive, and then Sir T. Wade would surely have something to say, and they would learn what he really wanted. At present, when pressed on the subject, all the answer he would give was to refer to his despatches of such and such a date. He (the Envoy Hsü), however, was of opinion that it would not be wise to go to England while matters were in their present condition. The Mission was certain to start sooner or later, and no doubt Sir T. Wade would give them a timely hint when they could go forward. The sooner the better; their work would then be easy; and although it would cost them privately a good deal of money, their office would be a sinecure.

He asked some question as to the state of affairs in Turkey, and I informed him that the latest telegrams were satisfactory.

(Signed)

WALTER C. HILLIER.

February 11, 1876.

No. 38.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, May 4, 1876.

I HAVE received your despatch of the 23rd of February, together with its inclosures, and I have to convey to you my approval of the instructions addressed by you to Mr. Grosvenor, for his guidance during the Yünnan inquiry, as well as of your proceedings as reported by you in your despatch.

I am, &c.
(Signed) DERBY.

No. 39.

Sir T. Wade to the Earl of Derby.—(Received May 6.)

My Lord,

Peking, March 14, 1876.

IN my despatch of the 23rd of February I had the honour to inclose translation of a note received from the High Commissioner in Yünnan, and copy of my reply to it; copies also of a further letter of instruction to Mr. Grosvenor, and of two notes to the Prince of Kung, giving cover respectively to my reply to the Commissioners, and to my letter to Mr. Grosvenor. These two notes were acknowledged together on the 26th, in a reply, of which I append translation.

On the 29th I addressed three further notes to His Imperial Highness, copies of which I inclose. In the first I stated that an escort had been sent by the Government of India to wait for news of Mr. Grosvenor in Burmah, and I requested that orders might be given to the Yünnan authorities to supply such information regarding the point on the Yünnan frontier to which this escort might be moved on to meet Mr. Grosvenor, as would prevent the possibility of any mistake. In the second, I communicated the substance of telegrams received from the Viceroy of India, regarding the reported attempt of the local authorities to excite the people against the mission and its objects. In the third, I apprised the Prince of the receipt of the record of your Lordship's message telegraphed on the arrival of Mr. Edwardes. As stated in my despatch of the 25th of January, I had already informed His Imperial Highness of the substance of that message.

The Prince replied, on the 3rd instant, to the first of the above notes, that relating to the escort, singly, and to the other two, collectively. I append translations of both replies.

There is nothing in either specially calling for attention.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 39.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, February 26, 1876.

THE Prince has to acknowledge the receipt of the British Minister's note, on the 24th instant, requesting that a letter addressed by him to Mr. Grosvenor might be forwarded to its destination; and, on the same day, of another note, inclosing copy of a communication addressed by the British Minister to the Imperial Commissioners, Li and Sieh, on the subject of an escort, which it is intended shall meet Mr. Grosvenor upon his crossing the Yünnan frontier into Burmah.

Immediately on their receipt at the Yamên, the letters for Mr. Grosvenor and the Imperial Commissioners, Li and Sieh, were sealed up in a separate cover, and sent off express to Yünnan, with orders that they be delivered at their respective addresses.

The copy of the communication addressed by the British Minister to the Imperial Commissioners, Li and Sieh, inclosed in the note now under acknowledgment, has been duly perused by the Prince, who now begs to make this communication in reply.

Inclosure 2 in No. 39.

Sir T. Wade to the Prince of Kung.

Sir, *Peking, February 29, 1876.*
I HAVE the honour to acknowledge the receipt of your Imperial Highness' reply of the 26th instant, and beg to express my thanks for the promise that my letters to the High Commissioners and to Mr. Grosvenor shall be severally forwarded to their destinations.

On the evening of the 25th, I received a letter from the Viceroy of India, dated 8th January, inclosing me copy of the instructions that had been sent by his Excellency to the Resident at Mandalay, regarding the escort of Mr. Grosvenor. The Burmese Government will be moved as before to provide a contingent for the escort of Mr. Grosvenor and his party from whatever point they may be conducted to by the Chinese escort, which the High Commissioner Li has promised should be sent. The Government of India is, on its part, holding in readiness a force of 200 British and 100 native infantry to be employed on the same service. These are to be halted at a place named in British territory, but close to the Burmese frontier, until instructions be sent to them to move forward. This arrangement has been decided on because the Government of India is not as yet certain as to the point of the frontier of Yünnan to which Mr. Grosvenor and his party are to be escorted.

I shall be much obliged to your Imperial Highness to send instructions at once to the High Commissioner Li to let Mr. Grosvenor know to what point on the Yünnan frontier it is proposed so to escort him. Mr. Grosvenor will then be enabled to send a message to Bhamo to convey the necessary information to the Agent of the Government of India there stationed.

As I have already stated, according to Colonel Browne, the boundary line between the Empire of China and the Kingdom of Burma is marked by a river named the Nanp'eng Kiang, part of the course of which is but some fifteen or twenty miles from Manwyne. Mr. Grosvenor is instructed by me, as your Imperial Highness is aware, to proceed to Manwyne, and I should imagine that there can be little difficulty in settling the spot at which the two escorts are to meet each other.

I beg to inclose, for transmission to Mr. Grosvenor, a letter in which I have communicated to him the substance of this note.

I have some other matter relating to his mission, which I shall make the subject of a separate note.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 39.

Sir T. Wade to the Prince of Kung.

Sir, *Peking, February 29, 1876.*
THE matter to which I had the honour to refer at the close of my earlier note of this date is as follows:—

On the evening of the 25th I received from the Viceroy of India two telegrams, the first dated 5th instant, the second 9th instant. Both were to the effect that certain Chinese authorities in Yünnan were exciting the people to oppose the inquiry which the High Commissioner Li had been sent to institute into the circumstances of the Yünnan outrage. The particular locality was not indicated in the telegrams, but I think it right that your Imperial Highness should be informed of the prevalence of reports to this effect.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 4 in No. 39.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, February 29, 1876.

IN continuation of my earlier notes of this date, I have the honour to state that in despatches received from the Earl of Derby on the 25th instant, his Lordship informs me of the receipt of my despatches forwarded by Mr. Edwardes, of whose arrival your Imperial Highness is aware I had already been apprised by telegraph.

My despatches gave cover to my instructions to Mr. Grosvenor, and to copies of my correspondence with the Governor-General Li, and with your Imperial Highness from the date of my return to Peking in September until my departure thence on the 11th October.

All I have written is approved by the Earl of Derby. His Lordship also expresses approval of my attachment of Mr. Davenport to Mr. Grosvenor's mission.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 5 in No. 39.

The Prince of Kung to Sir T. Wade.

March 3, 1876.

(Translation.)

THE Prince has to acknowledge the receipt, on the 29th instant, of the British Minister's note, requesting that the Imperial Commissioner Li might be instructed to inform Mr. Grosvenor to what point of the Yünnan frontier it was proposed to escort him, in order that he might notify the British Resident at Bhamo, who would convey the information to the escort, which will be in readiness to receive Mr. Grosvenor on the Burmese frontier, at whatever point Mr. Grosvenor may be conducted to by the Chinese escort.

The British Minister further requests that the Yamên will transmit to Mr. Grosvenor a letter in which he has communicated to him the substance of the note now under acknowledgment.

With respect to the absence of information as to the point on the Chinese frontier to which Mr. Grosvenor and his party will be escorted, the Prince begs to state, in reply, that the Yamên has already forwarded by express to the Imperial Commissioner Li a copy of the British Minister's note, requesting him to ascertain precisely, and notify to Mr. Grosvenor, the spot on the frontier between China and Burmah [to which the party will be escorted], in order that Mr. Grosvenor may send a message in advance to the British Resident at Bhamo.

The letter for transmission to Mr. Grosvenor was forwarded by the same opportunity.

Inclosure 6 in No. 39.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, March 3, 1876.

THE Prince has to acknowledge the receipt of the British Minister's note of the 29th February, informing him of the receipt of two telegrams from the Viceroy of India, with reference to reports stating that certain officials of Yünnan were inciting the people to obstruct the inquiry, for the conduct of which the Imperial Commissioner Li was appointed; and in reply the Prince has to observe that the object which the Chinese Government proposes to itself, in all judicial proceedings, is by elucidation of the actual truth and infliction of such punishment as is appropriate to the offence committed, to pursue the course which is calculated to obtain the concurrence of the public mind. On receipt of the statements now communicated in the despatch under acknowledgment, the Yamên of Foreign Affairs writes to the Imperial Commissioner Li, desiring him to act in concert with the Governor-General and Governor of Yünnan in taking careful measures for the maintenance of authoritative control, and for the prevention of all disorder.

The Prince has likewise to acknowledge the receipt of the British Minister's despatch of the same date with the foregoing, acquainting him with the approval signified by the Earl of Derby of his correspondence, which was forwarded to England by the hands of Mr. Edwardes.

Sir T. Wade to the Earl of Derby.—(Received May 6.)

My Lord,

Peking, March 14, 1876.

REMARKS having been more than once made upon Mr. Grosvenor's selection of the lengthier route to Yünnan, in a fashion that induced me to expect to find capital made of the allegation in the discussion inevitably ahead of us, I thought it well to show beforehand that the choice of routes had really lain with the Grand Secretary Li Hung-chang and the officer Sung Pao-hua, appointed by his Excellency to accompany Mr. Grosvenor's mission. I accordingly wrote to the Prince of Kung the inclosed note, touching the despatch of which, at this juncture, however, I shall give some further explanation elsewhere. I followed it up by forwarding His Imperial Highness' translations of your Lordship's despatch of the 1st January, written after careful consideration of the correspondence laid before your Lordship by Mr. Edwardes. Copy of this latter note is also inclosed.

The Prince will not, I imagine, reply to either, especially the last. As my previous despatch of this day reports, His Imperial Highness has already taken notice of my intimation of Mr. Edwardes' arrival in England, and the receipt of the despatches entrusted to his care.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 40.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, March 5, 1876.

AS allusions have been made more than once by different members of the Yamên to route taken by Mr. Grosvenor, and in a tone implying that by his preference of the way by Sze-chu'an to the way by Hu Nan, he had unnecessarily delayed the termination of the Yünnan affair, I think it well to lay before Your Imperial Highness copies of a correspondence between Mr. Mongan, Her Majesty's Consul at Tien-tsin, and the Grand Secretary Li upon the subject of the route to be taken, with translation of the Consul's report of what fell from the Grand Secretary in conversation with himself and Mr. Mayers, when by my desire, they waited on his Excellency, last April, to learn whether, if Mr. Grosvenor were sent round to Rangoon, it might not be possible to send the Sub-Prefect with him.

It will thence be seen that it was the Grand Secretary who indicated the Sze-chu'an route as the route to be followed. I beg particular attention to his remark that the journey by Hu Peh and Sze-chu'an would not occupy more than three months; that it would thus be slow but sure. I was prepared, notwithstanding this, to instruct Mr. Grosvenor last October to follow the footsteps of the High Commissioner Li Han-chang through Hu Nan, but on mentioning my intention to Mr. Grosvenor he informed me that the Sub-Prefect Sung had made his arrangements with reference to the Sze-chu'an route, and that an official of the Sze-chu'an Government was to meet the party at Ku'ei-chou Fu. This proved correct. An official was waiting at Ku'ei-chou Fu.

I shall not for the moment trouble your Imperial Highness at greater length upon the matter. I wish it merely to be understood beforehand that I shall object to any insinuation that a satisfactory settlement of the Yünnan affair has been deferred by the slowness of Mr. Grosvenor's movements. The difficulties that have presented themselves in the way of its adjustment demand a widely different explanation.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 40.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, March 6, 1876.

I HAD the honour to inform your Imperial Highness in a note dated the 24th of January last, that the Earl of Derby had apprised me by telegram of the arrival of Mr. Edwardes in London with despatches from me, and of the general approval of my proceedings reported therein.

By the mail which reached this on the 2nd instant, I received a despatch from his Lordship upon the subject of this correspondence, which I consider it my duty to communicate *in extenso* to your Imperial Highness. I beg accordingly to inclose a copy and translation of this despatch.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 41.

Sir T. Wade to the Earl of Derby.—(Received May 6.)

My Lord,

Peking, March 14, 1876.

IN a telegram dated 2nd instant I had the honour to inform your Lordship of Mr. Grosvenor's arrival on the 3rd February, at a place near the frontier of Yünnan. This intelligence was supplied by the Tsung-li-Yamên. I had sent Mr. Mayers, on the 1st instant, to the Yamên to inquire about a large loan which I had heard was about to be negotiated for the Chinese Government. I shall refer to this again. Mr. Mayers was at the same time to ask if news had been received of Mr. Grosvenor. In reply, the President Tung produced from his book a sort of itinerary of which I inclose translation.

The Grand Secretary Shên remarked that travelling was so slow by the route selected, that Mr. Grosvenor had been longer reaching Yünnan than could have been expected. This was one, the most recent, of the observations to which I have referred in my previous despatch of this date,* as having, in my opinion, rendered it necessary.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 41.

Memorandum showing the Progress of Mr. Grosvenor's Mission, communicated by the Yamên of Foreign Affairs, March 1, 1876.

THE Taotai of the Chu'an Tung Circuit, by name Yao, reports that, on the 9th December, 1875, Mr. Grosvenor and party passed with the limits of the Province of Sze-chu'an.

On the 30th December they arrived at Ch'ung K'ing, and on the 31st December they called at the Roman Catholic Mission House to see Père Vinçot, the Vicaire Apostolique.

On the 14th January, 1876, they arrived at Lu Chou.

On the 16th of January they resumed their journey in the same boat; and on the 22nd January they reached Hsü-Chou Fu.

Yen, Taotai of the Yung Ning Circuit, reports as follows:—

On the 25th January party arrived at P'ing-Shan Hien.

On the 27th January Messrs. Grosvenor and Baber walked to some rapids some tens of li off, and then returned.

On the evening of the 30th January the party determined to continue the journey by land.

On the 3rd February they returned by water to An-Yao in the Yi-p'in district (Prefecture of Sü-chon), where they took the road to Lao Yao-t'an. From this place there is a direct road to the frontier of Chao-t'ung Fu (the northernmost Prefecture in Yünnan). They should reach Yünnan Fu about the end of February, or the beginning of March.

No. 42.

Consul Medhurst to the Earl of Derby.—(Received May 7.)

(Telegraphic.)

Shanghai, April 29, 1876.

PRIVATE note received from Grosvenor to-day dated 23rd March. To leave Yünnan Fu in two or four days, and expects to reach Manwyne on 5th May. Asks me

* No. 40.

to telegraph Chief Commissioner, Rangoon, his arrangement, to be handed over by Chinese to British escort at Manwyne. Every one in best of health. People's demeanour perfect.

No. 43.

The Earl of Derby to Sir T. Wade.

Sir, *Foreign Office, May 11, 1876.*
I HAVE received your despatch of the 14th of March on the subject of Mr. Grosvenor's mission to Yünnan, and I have to convey to you my approval of the notes you addressed to the Prince of Kung, copies of which you inclose in your above-mentioned despatch.

I am, &c.
(Signed) DERBY.

No. 44.

The Earl of Derby to Sir T. Wade.

Sir, *Foreign Office, May 11, 1876.*
I APPROVE the notes, copies of which are inclosed in your despatch of the 14th of March, which you addressed to the Prince of Kung, in regard to the selection of the route adopted by Mr. Grosvenor's mission to Yünnan.

I am, &c.
(Signed) DERBY.

No. 45.

Sir T. Wade to the Earl of Derby.—(Received May 22.)

My Lord, *Peking, March 29, 1876.*
I HAVE already mentioned that I believe the Tsung-li Yamên to be keeping back news of Mr. Grosvenor's movements. The manner of the Ministers when I ask questions on the subject inspires me with suspicion; but independently of this, it must be remembered that, according to the itinerary supplied by the Ministers, and inclosed in my despatch of the 14th instant,* Mr. Grosvenor had reached the neighbourhood of Sü-chou Fu, in latitude 28° 38' north, longitude 104° 45' east, on the 3rd of February. From An-yao, the place near Sü-chou at which he then was, he was to proceed viâ Chao-tung Fu, the whole distance, from An-yao to Yünnan Fu, the capital of Yünnan, not being above 450 miles. Travelling at the rate even of twenty miles a day, he should have been at Yünnan Fu by the 25th February. The first despatch of the High Commissioners, publication of which so much dissatisfied me, came up in twelve or fourteen days, and I cannot believe that nothing relating to the Mission has been received from them since.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 46.

The Earl of Derby to Sir T. Wade.

Sir, *Foreign Office, May 25, 1876.*
I HAVE had under my consideration, in communication with Her Majesty's Secretary of State for India, your despatch of the 16th of December last; and I have to convey to you my approval of the supplementary instructions, of which you inclose a copy therein, addressed by you to Mr. Grosvenor, directing him to return from Yünnan by way of Burmah.

I am, &c.
(Signed) DERBY.

* No. 41.

Sir T. Wade to the Earl of Derby.—(Received May 29.)

(Telegraphic.)

Peking, May 18, 1876.

THE long Report to the Throne of the High Commissioners was, with other documents, placed in the hand of the Chinese Secretary on the 8th instant at the Yamên. It is asked by the High Commissioners that the Yamên and the Board of Punishments may be requested to take the Report into their joint consideration. A Decree has accordingly been issued, but nothing has been published.

I have addressed a request in writing to the Prince of Kung asking that these papers may be communicated to me officially.

All the blame of the murder is sought to be laid on the savages by the Chinese Government, and they try to prove that the attack on Colonel Browne was solely instigated by Li, the gentry of the district having been alarmed by Colonel Browne's arrival. All the higher officials and gentry would thus be exonerated.

I cannot accept this story with the other evidence in my hands. The paper contains contradictions and falsehoods, and, in view of the former history of such acts, and the equivocal conduct throughout the present affair of the Chinese Government, I have made a protest against the punishment of Li or the execution of the savages. I add that I do not demand any longer the punishment of the provincial authorities. I fix the whole responsibility on the Central Government, and demand such reparation as will in the future better secure foreign relations.

The papers are voluminous. Only yesterday the last translation was finished. Towards the end of the month I shall be at Shanghae to meet the Secretary, and until I have seen him I shall not close my Report to your Lordship.

Judicial satisfaction is unattainable, and I shall have difficulty about the form of reparation. I may have to refer again to your Lordship on this account. I see no reason, however, to despair, if the Chinese believe us to be in earnest.

Sir T. Wade to the Earl of Derby.—(Received June 5.)

My Lord,

Peking, April 7, 1876.

MY telegram of the 3rd instant will have informed your Lordship that I had received a letter from Mr. Grosvenor. I have the honour to inclose copy of it. Mr. Grosvenor, it will be seen, reached Yünnan-fu, the capital of the Province, on the 6th March, and wrote to me the day following. He was in receipt of my letter, forwarded by different channels, in triplicate, copy of which formed Inclosure No. 1 in my despatch to your Lordship of the 16th December, 1875. Hence, I assume, the guarded tone of his to me. He was in doubt, I imagine, about the security of correspondence entrusted to Chinese Government couriers. I shall look for some communication from him by a private hand. This, however, can hardly arrive for some weeks.

Mr. Grosvenor's letter, it is to be observed, took twenty-seven days to reach me. The letter to me from the High Commissioners, translation of which was forwarded your Lordship in my despatch of the 16th February, was received at the Legation upon the 15th February, that is, seventeen days from the date of its expedition.

I have earlier referred to my belief that the T'sung-li Yamên was in possession of information that it was keeping back from me, and this suspicion is confirmed by other evidence than that supplied by the inexplicable difference in the rate of speed at which the above letter of the Commissioners and Mr. Grosvenor's letter have been transmitted. A rumour was current a few days since that the Grand Secretary Li, Governor-General of this Province, was on his way to the capital. As his Excellency Li had declared himself very anxious to see Sir Douglas Forsyth, who was staying with me, and as, if this rumour were true, there was every chance that Sir Douglas Forsyth and he might miss each other, I instructed Mr. Mayers to call on the Envoy designate, Hsü Chien-shên, who is a relative of the Grand Secretary, to make inquiries. The Envoy, Hsü, had heard nothing about the contemplated visit, but adverting to the receipt of news from Mr. Grosvenor, he remarked that he had been satisfactorily received by the High Commissioner Li; Mr. Grosvenor, as his letter shows, had not yet seen the High Commissioner.

I infer that the Yamên is in possession of letters of later date, which doubtless speak

of Mr. Grosvenor's reception of the evidence that would be tendered him regarding the outrage. Why, it may be asked, should it be withholding intelligence that must be presently communicated? Most likely because it is trusting in luck; hoping that something may turn up in the chapter of accidents that will diminish the difficulties now before it. I have not replied to the short note of the Minister's which gave cover to Mr. Grosvenor's letter, but I have requested a conference to-morrow, the result of which I shall, of course, report to your Lordship.

I have, independently of the Yünnan affair, another very thorny question on my hands. I shall explain the complication elsewhere.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 48.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yünnan-fu, March 7, 1876.

I HAVE the honour to report that, in company with Messrs. Davenport and Baber, I reached the provincial capital in health and safety yesterday afternoon.

The official residence assigned to the use of this mission is comfortable and fairly clean. The Magistrate of the Mixed Court at Shanghae, Chên, was deputed by their Excellencies Li, Süeh, and Ts'ên to receive me. I returned their Excellencies my best thanks for the care taken to provide for my comfort since I had reached the Province of Yünnan.

I have the honour to acknowledge the receipt of three copies of a despatch, dated December 14, 1875; each copy containing as an inclosure your instructions to me of the 30th October last. Yesterday evening his Excellency Li-Han-Ch'ang sent me the English version of a despatch you had addressed to him.

I shall request his Excellency Li-Han-Ch'ang to forward this despatch to you as quickly as he can.

I have, &c.
(Signed) T. G. GROSVENOR.

No. 49.

The Earl of Derby to Sir T. Wade.

(Telegraphic.)

Foreign Office, June 14, 1876, 5.25 P.M.

YOU should avoid pledging in any way Her Majesty's Government until Mr. Grosvenor's Report has been received and considered by them, when instructions will be given to you for your guidance.

No. 50.

Lord Tenterden to the Secretary to the Admiralty.

Sir,

Foreign Office, June 29, 1876.

WITH reference to my letter of the 12th instant, I am directed by the Earl of Derby to state to you, for the information of the Lords Commissioners of the Admiralty, that a telegram, dated the 24th instant, has been received from Sir T. Wade stating that he finds it impossible at present to dispense with the four ships of the detached squadron now in China.

I am, &c.
(Signed) TENTERDEN.

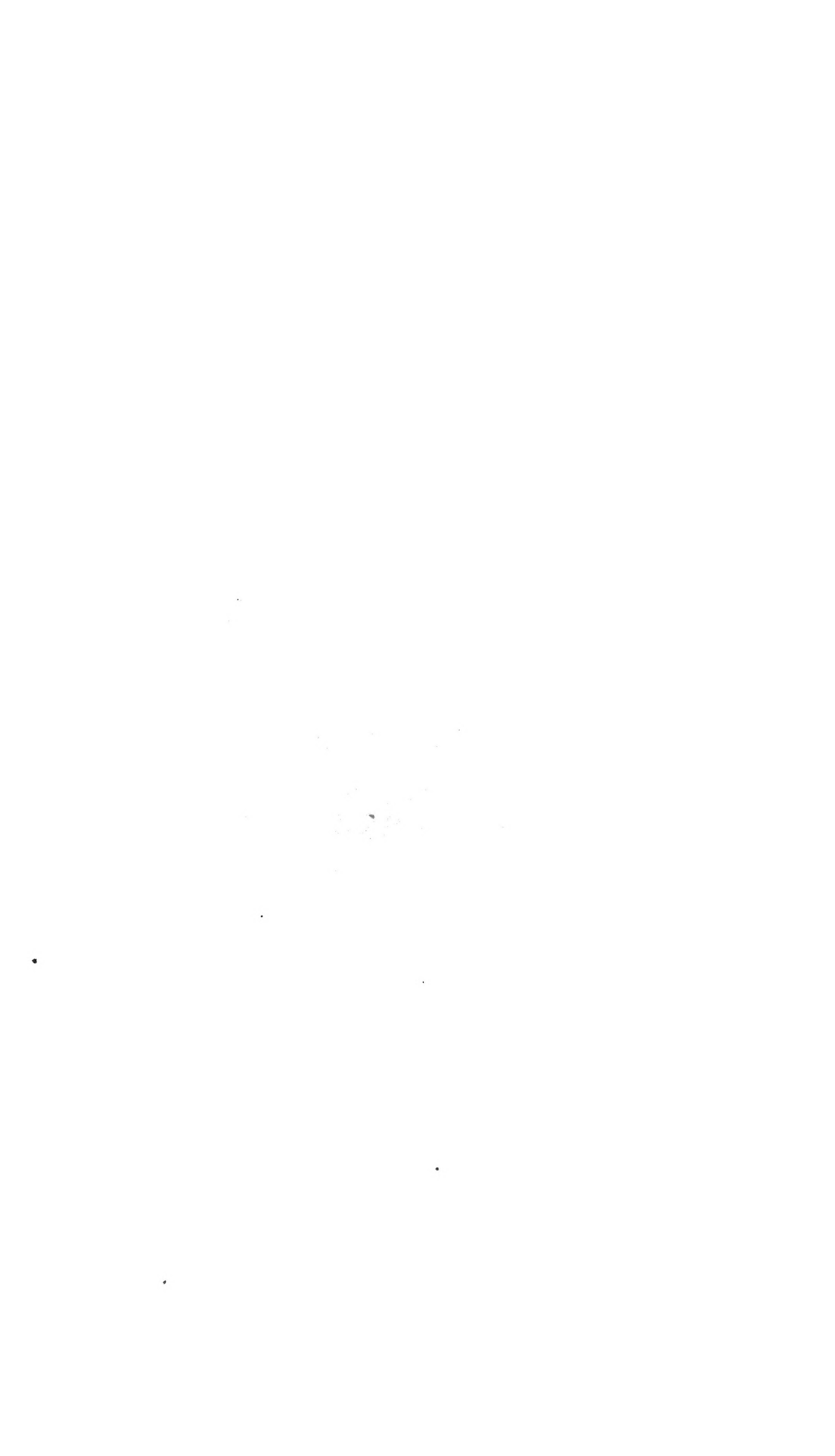
FURTHER CORRESPONDENCE respecting the Attack
on the Indian Expedition to Western China, and
the Murder of Mr. Margary.

(In continuation of C. 1422, presented April 1876.)

*Presented to both Houses of Parliament by
Command of Her Majesty. 1876.*

LONDON :

PRINTED BY HARRISON AND SONS.



CHINA. No. 3 (1877).

FURTHER CORRESPONDENCE

RESPECTING

THE ATTACK ON THE INDIAN EXPEDITION

TO

WESTERN CHINA,

AND THE

MURDER OF MR. MARGARY.

(In continuation of Correspondence presented to Parliament August 1876 : C. 1605.)

Presented to both Houses of Parliament by Command of Her Majesty.
1877.

C.1832

LONDON :
PRINTED BY HARRISON AND SONS.

TABLE OF CONTENTS.

No.	Name.	Date.	SUBJECT.	Page
1	Sir T. Wade ..	July 15, 1876	Copy of letter of approval addressed to Mr. Grosvenor	1
2	" " ..	22,	Copy of Memorandum by Mr. Hart containing proposals for revision of commercial relations of China.	3
3	" " ..	22,	Copy of Mr. Grosvenor's Report	27
4	" " ..	22,	Letter from Mr. Grosvenor testifying to valuable assistance received from Messrs. Davenport and Baber.	41
5	" " ..	Aug. 5,	Copies of further documents from Mr. Grosvenor ..	42
6	" " ..	5,	Unsatisfactory result of inquiry in Yün Nan ..	51
7	" " ..	7,	Expected arrival of Grand Secretary Li with full powers	58
8	To Mr. Grosvenor ..	Oct. 6,	Approving his conduct of the mission	58
9	To Sir T. Wade ..	6,	Approving services of Messrs. Davenport and Baber	59
10	" " ..	19,	Approving provisionally Chefoo Agreement. Authorizes him to come to England immediately ..	59
11	Sir T. Wade ..	Sept. 13,	Visit of deputation from Tientsin to induce Sir T. Wade to go there to confer with Li	59
12	" " ..	13,	Note from Prince of Kung conferring special powers upon Li	61
13	" " ..	13,	Has agreed to commence negotiations	62
14	" " ..	14,	Copy of Agreement concluded	63
15	" " ..	Oct. 2,	Arrangements for carrying out the Agreement ..	70
16	" " ..	Nov. 23,	Delay in starting of Mission. Has pressed for its immediate departure. Incidental correspondence relating thereto	80
17	" " ..	23,	Correspondence relative to posting of Chefoo Proclamation in Peking	82
18	" " ..	28,	Reinstatement of authorities of Momein. Remonstrance addressed to Prince of Kung	84
19	Sir B. Robertson ..	Dec. 20,	Despatch to Mr. Fraser relative to Proclamation issued by Viceroy in regard to Yün Nan affair ..	85
20	Mr. Fraser ..	13,	Progress made towards fulfilment of Agreement ..	88
21	" " ..	22,	Passport obtained for Mr. Baber to go to Chungking.	89
22	" " ..	22,	Translation of letter of apology to be delivered to the Queen by Kuo	90
23	" " ..	26,	Respecting alleged reinstatement of authorities of Momein	91
24	" " ..	26,	Posting of the Proclamation in the provinces ..	92
25	" " ..	27,	Further particulars respecting the above ..	93
26	" " ..	Jan. 10, 1877	Courtesy shown towards Great Britain in "Peking Gazette"	93
27	" " ..	10,	Complimentary visits of Chinese officials to foreign Legations at the New Year	95
28	" " ..	23,	Reports from various places as to posting of Proclamation	96
29	" " ..	Feb. 16,	Report of journey of Mr. Warren through Province of Chekiang	95
30	" " ..	17,	Further details as to posting of Proclamation ..	102
31	" " ..	Mar. 6,	Report received from Yün Nan respecting state of feeling prevailing there	102
32	" " ..	12,	Difficulties as to posting of Proclamation in Hu-nan. Correspondence with Chinese Ministers relative to exclusion of certain Missionaries from Yochow-Fu.	103
33	Sir B. Robertson ..	27,	Despatch to Mr. Fraser, with report of journey by Mr. Gardner to inspect posting of Proclamation in interior of Province	104
34	Mr. Fraser ..	14,	Report from Mr. Alabaster of journey made by Mr. Phillips through southern part of Fukhien. Proclamation satisfactorily posted and received ..	104
35	To Mr. Fraser ..	May 10,	Approving letter addressed by him to Chinese Government relative to non-posting of Proclamation in Hu-nan	110
36	To Sir B. Robertson ..	17,	Approving Mr. Gardner's Report	110
37	To Mr. Fraser ..	Apr. 27,	Approving Mr. Warren's Report	110
38	Consul Forrest to Mr. Fraser.	Feb. 28,	Proclamation properly posted in Swatow district ..	110
39	Sir T. Wade ..	July 14,	Report explanatory of Chefoo Agreement, &c. ..	111
40	" " ..	14,	Testimony to value of Mr. Mayers' services in connection with negotiations	147
41	To India Office ..	18,	Sending copy of Sir T. Wade's report	148
42	To Sir T. Wade ..	27,	Approving services of Mr. Mayers	148
43	To Mr. Fraser ..	30,	Sending copies of Nos. 40 and 42, for communication to Mr. Mayers	148
44	India Office ..	Aug. 4,	Acknowledging receipt of Sir T. Wade's report. Defers opinion respecting commercial questions..	148

Further Correspondence respecting the Attack on the Indian Expedition to Western China, and the Murder of Mr. Margary.

No. 1.

Sir T. Wade to the Earl of Derby.—(Received August 31.)

(Extract.)

Shanghai, July 15, 1876.

I BEG to inclose copy of a letter I have this day addressed Mr. Grosvenor. The papers referred to in it will be forwarded to your Lordship with the rest of the correspondence in a few days. Almost all the copies have been some time ready. I have detained them until I had had an opportunity of hearing Mr. Grosvenor's closing account of what has taken place, because I desired to present with them a review of the whole case, as I think it should be understood. Mr. Grosvenor's verbal commentary upon it, I cannot doubt, will be as useful as interesting.

Inclosure in No. 1.

Sir T. Wade to Mr. Grosvenor.

(Extract.)

Shanghai, July 15, 1876.

I HAVE attentively perused the papers you placed in my hands on the 13th instant, and it seems to me desirable that you should at once proceed to England. You will thus be at hand to explain whatever may require elucidation in the mass of correspondence I am about to transmit to the Earl of Derby.

I cannot allow you to leave China without congratulating you most warmly, and, through you, those attached to your mission, upon your return from it safe, and with the satisfaction of having rendered most valuable service. That it has contributed little to a judicial solution of the difficulty that originally suggested it is no fault of yours.

For the rest, although I had never imagined that your expedition would expose you to danger at the hand of man, still there were difficulties of various kinds to be anticipated in your transit across a country all but unknown to foreigners travelling as such, on an errand little acceptable to the native authorities, and it appears to me to have been most happily conducted. The success of the journey itself will be of no small utility, and independently of any bearing upon the offence for which we are seeking reparation, the information obtained along your route, whether in the chapter of trade or geography, will be found most valuable. I cannot doubt that Her Majesty's Government will duly appreciate your exertions, and not less those of the gentlemen who accompanied you, your favourable report of whom it will be my agreeable duty to bring to the notice of the Secretary of State.

Sir T. Wade to the Earl of Derby.—(Received September 24.)

My Lord,

Shanghai, July 22, 1876.

AS elsewhere stated, I had pressed the Ministers to communicate to me the Memorandum by Mr. Hart, preparation of which I had agreed last September to regard as a pledge for the revision of commercial relations. It had been laid before the Yamên in January, but the only answer I had received to repeated applications to be informed of its contents, was that its length was such that it required long study, that the Provincial Governments would have to be consulted, &c. The Assistant Grand Secretary Shên did at last consent to ask the Prince of Kung if Mr. Hart might be instructed to let me read it. I was at the same time to observe that much of what the Memorandum proposed was impracticable.

To make sure of the paper, on the 24th May I wrote myself officially to the Prince, but before I had received his Imperial Highness' answer, Mr. Hart had forwarded me a manuscript copy of it. It has since been corrected, and I now beg to inclose a revised copy in print.

The paper is not of the extraordinary length I had supposed, but its scope is somewhat ambitious, as it treats not only of questions directly commercial, but of conditions categorized as judicial and administrative, which are incidental to an expansion of commercial intercourse between China and foreign nations.

Mr. Hart has endeavoured to treat the two sides of the question before him with fairness to both, and he has at the end of each of the three divisions of his subject propounded sets of alternative methods of dealing with the difficulties that have to be faced in relations so peculiar as those existing between China and Western Powers. I have so far studied little else but the chapter marked Commercial, and on the merit of what is therein proposed I must still reserve my opinion. His view and my own regarding the Treaty rights of our import trade very nearly, if not perfectly, coincide. My own exposition of those rights has been always combated at the Yamên, and I should doubt that Mr. Hart's advocacy is more favourably received.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 2.

Proposals for the better Regulation of Commercial Relations; being a Memorandum called for by the Tsungli Yamên (Board of Foreign Affairs, China), and drawn up by the Inspector-General of Customs, Peking, January 23, 1876.

1.—Inspector-General's Despatch.

The Inspector-General of Customs to their Excellencies His Imperial Highness the Prince of Kung and the Ministers of the Tsungli Yamên (Board of Foreign Affairs), Peking.

*Inspectorate-General of Imperial Maritime Customs, Peking,
January 23, 1876.*

1. THE Undersigned has the honour to acknowledge the receipt of the Yamên's despatch of October 6, 1875:—

[Despatch quoted in full.]

2. The Undersigned would observe that to attempt the better regulation of all matters connected with the taxation of the commodities which pass through the ports open to trade is in point of fact to essay the better regulation of commercial relations,—that commercial relations of necessity bring in their train questions concerning person and property requiring judicial decisions for their settlement,—and that the various arrangements which thus come to be called for commercially and judicially necessitate governmental or administrative action in various directions. In giving effect to the Yamên's instructions the Undersigned has accordingly arranged his proposals under three general headings, viz., Commercial, Judicial, and Administrative, prefaced and supplemented by introductory and concluding remarks; and the plan adopted in the treatment of the subject has been to state the more salient features of existing arrangements with the complaints they have

called forth from both native and foreigner, and then, guided by those complaints and their causes, submit such suggestions as are thought likely on the one hand to put a stop to the complaints that have hitherto existed, and seem calculated on the other to secure for both native and foreigner the rights, privileges, and advantages to which they are entitled respectively.

3. As for commercial requirements—the principle running through past and present arrangements is one which distinguishes between persons and not between things, and the natural result is a jealous and angry feeling on all sides; the commercial proposals now submitted make no distinction of persons, but are based on distinctions in things; they place both foreigner and native on the same footing and make it impossible for either to say that the other possesses an unfair advantage. As for judicial requirements—the principle running through the arrangements that have come down to us from the past is again found to be one which gives prominence to distinctions in persons and not in things, and no procedure is established for the joint action which ought to have place where both foreigners and natives are concerned; the judicial proposals now submitted not only provide for procedure but recommend a common code for mixed cases. As for the governmental or administrative action that the management of commercial relations and settlement of judicial business call for—the most striking feature of past and present arrangements has been that they appear to have provided for only one, instead of for both parties, and that they have been devised with so little reference to reciprocity, that to regard them with entire approval is an impossibility; the administrative suggestions now submitted give prominence to reciprocity and advocate the introduction of such arrangements as shall be fair to both parties, and satisfy all alike.

4. The “Memorandum of Proposals” is now submitted, inclosed. If allowed to be given a trial to, its recommendations will be found to be of a nature that can be safely undertaken by the locality and be given full effect to by the Customs, and, at once securing what is useful and guarding against what is harmful, will be attended with no small benefit to general interests.

(Signed) ROBERT HART,
Inspector-General of Imperial Maritime Customs.

Inclosure.

Inspector-General's Proposals.

INDEX.

Introductory	..	..	..	..	..	I
Commercial	..	..	..	..	..	II
Judicial	..	..	..	..	..	III
Administrative	..	..	..	..	..	IV
Concluding	..	..	..	..	..	V

I. Introductory :—Sections 1 to 7.

1. The Yamèn's instructions; what they call for, and aim at.
2. Whatever is recommended must bear two sets of tests.
3. Past arrangements and present situation: their more striking features.
4. Foreigners desire growth, and are progressive; Chinese aim at self-preservation, and are conservative.
5. Ex-territorial stipulations as seen from two opposite standpoints.
6. What proposals must do to be acceptable.
7. Past arrangements elicited three kinds of complaints—Commercial, Judicial, and Administrative; the proposals now submitted similarly classified.

II. Commercial :—Sections 8 to 22.

8. Commercial complaints: Port and Inland.
9. " " Port complaints.
10. " " " " Import Trade.
11. " " " " Export Trade.
12. " " Inland complaints.
13. " " Chinese counter-charges.
14. " " " " Port.
15. " " " " Inland.
16. " " the necessary, not accidental, result of the Treaties.
17. " " how their causes can alone be removed.
18. Commercial Proposals—First set: To change present, and substitute presumably better arrangements.
19. " " Second set (alternative): To interpret existing stipulations liberally.
20. " " Third set (alternative): To interpret existing stipulations strictly.
21. " " Fourth set (alternative): To invite mercantile suggestions.
22. Proposals to be weighed from standpoint furnished by preceding remarks.

III. Judicial :—Sections 23 to 32.

23. Judicial stipulations of the Treaties.
24. Complaints originating in treatment of cases affecting Person.
25. " " " " Property.
26. " " " " Revenue Laws.
27. Complaints point to differences in Principle, Law, Procedure, and Penalty.
28. Judicial Proposals—First set: To establish a common code, &c., for mixed cases.
29. " " Second set (alternative): To establish procedure for joint action in mixed cases.
30. " " Third set (alternative): To establish procedure for settlement of cases growing out of loss of life.
31. " " Fourth set (alternative): To enable each to know how the other proceeds.
32. What is chiefly wanted to silence judicial complaints.

IV. Administrative :—Sections 33 to 44.

33. Connection in which administrative questions come up for consideration.
34. Explanatory of the complaints styled "Administrative."
35. China: why unwilling to welcome innovation.
36. " why unwilling to follow foreign advice.
37. Ex-territoriality: what it effects, and what it obstructs.
38. " it renounced, what would result?
39. " what the foreigner values and China fears in the word, not identical.
40. Administrative Suggestions—First set: To establish uniformity of treatment.
41. " " Second set (alternative): To establish reciprocity in treatment.
42. " " Third set (alternative): To establish sameness in Treaties.
43. " " Fourth set (alternative): To establish speedier revision of Treaties.
44. What is chiefly wanted to silence administrative complaints.

V. Concluding :—Sections 45 to 50.

45. Changes in, not confirmations of, existing arrangements wanted.
46. Advantages likely to follow adoption of first sets of proposals.
47. Some foreign objections indicated.
48. Some native objections indicated.
49. Commercial, Judicial, Administrative,—why this sequence was adopted.
50. Conclusion.

I.—Introductory.

§ 1. A necessity having arisen for the introduction of arrangements for the better regulation of commercial relations, the Chinese Foreign Office issued the following instructions to the address of the Inspector-General of Customs :—

(Translation.)

The Tsungli Yamên (Board of Foreign Affairs) issues instructions to Mr. Hart, Inspector-General of Customs.

With reference to the proposed adjustment of the Maritime Revenue and *li-kin* Taxation at the Treaty ports, the Yamên conferred verbally with the Inspector-General on the 23rd day of the 8th month (22nd September) as to the principles on which such adjustment should proceed; and on the 5th day of the present month (3rd October), a Memorandum on the points to be considered was handed to the Inspector-General (copy inclosed). He is now again directed to consider the subject carefully in all its bearings, guided by the Conference and the Memorandum aforesaid: he must bear in mind how all-important it is that his proposals should be advantageous and not harmful to China,—that they should be capable of being easily worked and effectively carried out at the Custom-houses and barriers and by the local authorities,—and that they should also be such as would not be likely to cause complications or present difficulties hereafter.

The Inspector-General is in the first instance to embody his proposals in a Memorandum to be submitted to the Yamên, on which action will be taken without delay.

Kuang Hsü, 1st year, 9th moon, 8th day (6th October, 1875).

 Inclosure.

I. It is suggested that China may continue to levy *li-kin* taxes provided she consents to open more ports to foreign trade. Should this be formally assented to, could all the Treaty Powers be induced to acquiesce in such an arrangement and accept its conditions?

II. For example, with regard to foreign goods—it is proposed that both import and transit duties shall be paid together on importation. In the various Treaties, however, the stipulations on this point are not identical; while in some it is provided that there shall be only one payment, in others it is left optional either to make one payment, or to pay by instalments when passing the barriers. Would it be possible to obtain the consent of all the Treaty Powers to the adoption of one rule which would ensure an uniform procedure at every Custom-house? Besides, in some of the Treaties it is directly laid down that regulations agreed to by one Power are not binding on other Powers. How is this to be got over? Should there be diversity on either of these points, it will be impossible for the Chinese Custom-houses and barriers to make the necessary distinctions.

III. Again, as for the proposition to open additional ports to foreign trade in consideration of the *li-kin* taxes being retained—once it is decided that a certain port shall be opened, other Powers, who will not agree to the *li-kin* taxation, will nevertheless claim access to the port under the “favoured-nation” clause. Moreover, if the opening of new ports be conceded now, how could China assent to the demands other Powers (at a future time, or at the time of Treaty revision) might make for the opening of more ports? Before, when the question of adding to the Treaty ports was discussed at the revision of the (British) Treaty, the plan adopted was that one port should be given in exchange for another. But if, in future, it is proposed to go on opening ports indefinitely, not only is China without an unlimited number of ports to open, but there would be no ports to exchange.

The Yamên, in intrusting the consideration of this subject to the Inspector-General, has only, in conclusion, to impress on him that his proposals must involve no injury to China, and that they must be such as can be easily worked and effectively carried out at the Custom-houses and barriers, and also be susceptible of a satisfactory explanation to anyone who may discuss them. If this is not done, not only will no advantage be derived, but those who are willing to carry them out will not be able to do so; and, rather than break faith through failure in performance, it would be better to arrange to deal with foreign goods and opium in accordance with existing Treaty regulations, and carry out the former proposals of adjusting the *li-kin* taxes in such a way as to secure their exemption.

Moreover, if the Chinese public again discuss the question of transit duty and the general levies on ships, pulse, &c., the withdrawal of prohibitions must be capable of satisfactory explanation, and the Yamên must not find itself without effective arguments against objections.

However, of all the above considerations, what must be sought for as of the most importance is a scheme capable of being effectively worked. Accordingly, the Inspector-General is asked to draw up a Memorandum on these points for the Yamèn's consideration—a Memorandum whose proposals shall be advantageous and not harmful; otherwise time will be wasted in idle discussions, without ever obtaining practical results.

October 6, 1875.

The discussions which preceded and accompanied the issue of these instructions need not be specially or separately dwelt on: in one connection or another all the points raised will be adverted to in the following paragraphs, but they will be treated of as part of the general question, and not as having formerly come up on such and such occasions. Besides, the dates fixed for Treaty revision have already arrived for some, and will soon be arriving for the other Treaty Powers, and it is accordingly thought better to deal with the subject as affecting, and affected by, all.

The instructions call for such proposals for the better regulation of commercial relations as shall be—

- (1.) Suited to the locality;
- (2.) Feasible for the Customs; and—
- (3.) Acceptable to all the Treaty Powers.

The difficulty of drawing up proposals that shall at once meet all these conditions is apparent, but the wisdom of imposing such conditions cannot be questioned. If not suited to the locality in which they are to be operative, new rules will but cause fresh troubles; if not feasible for the Customs, new rules will but elicit new complaints; if not acceptable to all the Treaty Powers, new rules will not only result in a greater divergence from uniformity, but, applied where inoperative and withheld where operative, will prove self-destructive, engendering endless confusion, and causing reclamations on all sides, as well from those who were, as from those who were not, parties to them.

The Yamèn's instructions make special reference to revenue and taxation, but what is really wanted is a set of proposals for the better regulation of commercial relations generally; and what is to be effected by this better regulation of commercial relations is, on the one hand, the removal of whatever is injurious to the rightful interests of foreign trade; and, on the other, the suppression of such abuses as affect native trade and native revenue unfairly. It is, in short, desired to eradicate every cause of complaint, and place commercial relations generally on such a footing that they, at least, and the kind of intercourse they necessitate, shall occasion no unpleasantness between the Treaty Powers and China.

§ 2. In order to prepare the way for the proposals to be now submitted, it is necessary to indicate some of the more striking features of existing arrangements, describe the complaints they have called forth, and state the requirements of both foreigner and native. This is all the more necessary, inasmuch as, in order that proposals shall meet the conditions formulated in the Yamèn's instructions, the matter of any proposal must first bear to be tested from the standpoints furnished by two sets of circumstances, viz. :—

- (1.) Circumstances that are likely to induce China or Treaty Powers to accept or reject any proposal when suggested; and—
- (2.) Circumstances that are likely to further or impede the working of any proposal when adopted.

§ 3. It is trade that brings foreigners to China, and it is for the protection and extension of trade that Treaties have been made. The trade of the day may be described thus: it gives freight to about 10,000,000 tons of foreign shipping annually; imports may be valued at 28,000,000*l.*, and exports at 27,000,000*l.*; the revenue accruing to China is 4,000,000*l.*; 340 foreign firms are engaged in business, and about 3,500 foreigners are resident at the open ports. Of the trade, 70 per cent. is English, 10 per cent. American, and the remaining 20 per cent. is made up by France, Germany, and the ten other Treaty Powers.

The more striking features of the Treaties may be said to be as follows:—At this date there are fourteen ports open to foreign trade; but as yet there is no authoritative definition of the word "port," and port limits are nowhere marked out. Foreigners are allowed to settle at the ports and travel in the interior, but are not to reside or rent hongs inland. Merchandise on arrival at a port pays import duty, and on departure export duty, according to a tariff intended to lay a charge of 5 per cent. *ad valorem* on all commodities; but after payment of import duty and before payment of export duty, imports and exports are subjected to other taxation; further, merchandise of foreign origin may be taken inland, and native produce for foreign export brought from the interior, free from other charges on

payment of a transit due equal to half the Tariff duty ($2\frac{1}{2}$ per cent.), or, if it be not elected to pay the transit due, on payment of ordinary local charges; but the transit rule is held by China to cover imports only from port to place, and produce only when intended for foreign export. Unsaleable goods re-exported are entitled to drawbacks; but China limits the time within which drawbacks may be claimed. Where foreigners alone are concerned, all questions of life and property are arranged by their own officials, the Consuls, and where both natives and foreigners are concerned, native and foreign officials may act in communication; but such conjoint action is left to chance, and no fixed procedure has been laid down for the guidance of either side. Consular officers are stationed at the ports and Ministers are resident at Peking; but the ministerial position at Peking is not accorded those privileges which are its rights in other capitals. Finally, one of the results is, that, as the Treaties provide one kind of treatment for the foreigner, and the laws another for the native, occasions are constantly presenting themselves, on which it is to the foreigner's advantage to be treated like a native, and to the native's advantage to be treated like a foreigner.

Such are some of the salient features of existing arrangements, and among them the most remarkable are the extritorial articles. The foreigner's fore-knowledge of his own requirements dictated the stipulations the Treaties contain, and the native's awakening consciousness of his international status, and of the effect of Treaties upon his domestic condition, has ever since made him anxious to shape their working. It is not to be wondered at that the foreigner should have sought for and secured extritorial privileges, and just as little is it to be wondered at that the creation of such privileges should have led China to view foreign intercourse from a standpoint which very few foreigners as yet realize.

§ 4. If it is asked what more the foreigner wants in China, seeing that he has all that the preceding paragraph enumerates, the reply is, that on the foreign side the end now sought for is freedom for every kind of trading or industrial operation, and with that freedom is claimed ample protection for all concomitant rights. Resolve this generalization into its components, and it means that the foreigner wants unrestricted access to whatever place interest suggests; taxation according to a fair, fixed, and uniform Tariff; improved means of locomotion and transit; right to use all appliances suited for the development of local resources and new industries; and foreign, as distinguished from Chinese, treatment for person and property.

On the Chinese side, the object hitherto and still kept in view has been, and is, self-preservation; change is not welcome—change is always suspected and subjected to counteracting influences on every side—change is only recognized as a native growth when it takes root and spreads imperceptibly and healthily among the people of a locality—change is rarely accepted on foreign suggestion except when imposed by foreign force.

Thus, foreign and native aims—the one progressive and the other conservative—are at once seen to be of such a kind that the foreigner must be content to wait with patience for native developments if he is to gain his end peaceably, and the native must acquire an enlightenment of a kind yet little known in China, if he is to move forwards of himself towards, and finally acquiesce in, the same result. As for this Chinese desire to keep change at a distance, the impossibilities of such a programme are gradually becoming more generally known and acknowledged.

§ 5. While following up his own aims in China, the foreigner carries with him one striking peculiarity—extritoriality. He comes to China for gain, but he first of all wants what he considers security; he has thus got almost complete extritoriality, and to it he seeks to add almost as complete liberty of action. But, whatever the demands of commerce may be, home Governments cannot but admit that there are here and there restrictions in themselves proper to be enforced.

When China acquiesced in various Treaty stipulations, it never occurred to her that what she was conceding was what goes to constitute what is now termed extritoriality. The stipulations gradually showed their shape, and what they concede and how such concessions operate on the country that grants them, are now increasingly understood in China. Such an arrangement may, of course, save China the trouble of settling inter-foreign disputes; but its advantages in this direction have not been found to compensate for what is felt to have been thereby lost in governmental tone.

Accordingly, when the foreigner seeks for extension of intercourse and greater freedom generally, and couples with the request for this the demand that he shall remain on the same footing, *i.e.*, extritorialized, friendly negotiation has difficulties to encounter that were unknown to first-comers who dictated Treaties.

In view of the fact that extritorial stipulations do exist and are really operative, it is evident that any proposals which do not make adequate provision for the security of life

and property will not be acceptable to the Treaty Powers, and in view of the fact that, whatever they may contain of what is expedient and useful, exterritorial stipulations do contain a something that the Government concerned must sooner or later take exception to, it is equally evident that any proposals which ignore what China feels and says on the subject of existing arrangements will similarly be unacceptable to China.

Accordingly, in reviewing the commercial side of intercourse, it becomes necessary to consider also what Commercial Treaties have done by way of giving a peculiar status to the foreigner, and for the settlement of questions to which he is a party.

§ 6. China recognises the fact that the foreigner differs from the native in countless ways, and that special arrangements are necessary for his affairs; China is as ready to acknowledge this as the foreigner, seeing how different are natives from foreigners, is to demand special treatment; and, taking it for granted that on both sides there is a sincere desire for friendly relations, it ought not to be impossible to find a common mean. But to really find this, it is the facts of the day, and not the legislation of a former period, that must be given prominence.

Foreigners not being at all likely to surrender what may be called defensive exterritoriality, and China not being at all likely to invite foreign suggestions or willingly assent to foreign demands while what may be called aggressive exterritoriality is maintained, the proposals the Yamên's instructions call for—if they are to have any practical value—must put forward considerations that are calculated

(1.) To convince the Treaty Powers that the limitations of any stipulation afford sufficient margin for the exercise of the rights it guarantees;

(2.) To induce China to see that the concession is not unlimited; and,

(3.) To promise an improvement on the regulations and procedure now existing.

§ 7. What, then, is the foreign complaint that has resulted in the issue of the instructions now received?

Taken at its widest, the foreign complaint is that China does not let foreigners do in China, *plus* exterritoriality, what they suppose they would be allowed to do at home. Foreigners cannot establish themselves at pleasure in the interior; cannot open mines; cannot make railways; Chinese themselves are not allowed to introduce foreign appliances; foreign goods are taxed at the Treaty ports where, having paid import duty, they ought to be free, and, after next paying transit dues and thus purchasing (it is said) the right to future exemption, are again taxed in the interior times without end. Foreign claims, whether against defaulting traders or Treaty-violating mandarins, are always trifled with and never satisfied; foreigners are insulted, assaulted, killed, and redress is either not obtainable, or is of such a kind and so tardily granted as to only aggravate the original offence, &c., &c., &c.

Viewed as to their origin and nature such complaints or causes of complaint may be arranged under three general heads:—

(1.) Commercial, or Treaty rights withheld and interfered with;

(2.) Judicial, or litigation unsatisfactory and rarely successful; and,

(3.) Administrative, or suggestions for progress not adopted.

Under these heads, and in the same order, will now be found some remarks on each class of complaints, followed by the proposals the Yamên's instructions call for.

II.—Commercial.

§ 8. When we examine what the foreigner says about intercourse from the commercial point of view, it is found that Treaty provisions are spoken of as not having full effect given to them; and the complaint is that Treaty rights are here withheld and there interfered with. It will be convenient to look into these complaints under two headings:—

(1.) Port complaints; and,

(2.) Inland complaints.

But it is throughout to be remembered that foreign complaints of rights withheld are accompanied on the other side by Chinese counter-charges of privileges abused.

§ 9. Under the first heading, port complaints, foreigners allege—

(1.) That their import business is checked by the heavy taxes levied on foreign goods at the ports in the form of *li-kin* and other charges, after and in addition to the payment of import duty; and,

(2.) That their export business is in turn hampered because they are called on to prove payment of inland taxes, or pay transit dues in default of proof, on native produce purchased at the ports.

§ 10. As regards import business, it is beyond dispute that *li-kin* and other taxes are levied on imports at the ports; at Shanghai, Amoy, Foochow, and latterly at Tientsin, such charges have been notoriously heavy.

On the one hand China maintains that no special areas are included in what are called Treaty ports, that no stipulations have been made as to what is not to be done at Treaty ports; that the Government has as much right to levy such additional taxes at the ports themselves as it has to levy them on duty paid imports at any place in the interior; and that there is no reason why people should be exempted from such charges at the ports any more than inland.

There are various considerations to be urged in support of the position thus taken up.

On the other hand the foreigner holds that his payment of import duty ought to admit his goods into circulation at the "port" without further charge; that the wording of the Tariff rules, which interpret the transit privilege and fix the transit procedure, by making transit dues leviable only when a commodity is passing the first barrier on its way inland, not only constitutes that barrier the dividing line between port and interior, but implies that, till that line is crossed, goods are of course not to be called on to pay additional charges, and thus postulates his right to port exemption; and that, as for charges paid by people at the ports compared with those paid by people in the interior, in the natural order of circumstances, increased distance from the place of production entails additional charges and enhanced value. Here, again, there are many considerations to be urged in favour of the foreigner's views.

The one thing that there is no doubt about is that heavy *li-kin* charges do exist and do obstruct the growth of import business. At the same time, when the foreigner goes on to say that, if these heavy port charges are abandoned, import trade will increase and import duties make up for lost *li-kin*, China replies that, be that as it may in the abstract, if *li-kin* is not collected now, inland tranquillity, so essential to the continuance of even the trade of to-day, cannot with certainty be maintained.

Again, when the foreigner complains that his opium business is harrassed and interfered with by the surveillance exercised and arrests made at his very door by the *li-kin* officers and spies, the Chinese retort that it is necessary to act thus, seeing that the native smuggler has always the sympathy and aid of the foreign trader.

It is thus at once evident that each party owes full consideration to the statements of the other, and that the conflict of rights and interests on both sides can only be arranged by mutual concessions.

§ 11. As regards export business, the Chinese demand for transit dues where proof of payment of inland taxes on native produce purchased at a port is not forthcoming, has its pros and cons also.

On the Chinese side, it is urged that the Tariff rule supports the demand: "Permission to export produce which cannot be proved to have paid its transit dues will be refused by the Customs until the transit dues shall have been paid,"—and it is argued that, even without this express rule, the demand is in itself reasonable.

On the foreign side, it is replied that the words quoted have special reference to produce brought from the interior under transit passes, and do not apply to produce generally, and that it is not fair to demand such proof from an exporter of produce; for how can he adduce it, seeing that his total shipment has been bought piecemeal on twenty or thirty different occasions from forty or fifty different middlemen, who in turn had purchased in small lots from producers, which producers had brought their produce to the market at different times, by different routes, and had paid transit dues or inland taxes at various barriers and offices?

Thus each has a something with which to support his claim, and here again it is consideration for each other's views and mutual concession that will affect most. The Chinese Government has a fair right to protect itself against loss of inland revenue as the result of the transit privilege it has conceded, and the foreigner has as fair a claim to be freed from a burthen which ought not to be put on him.

§ 12. Under the second heading, "Inland Complaints," the foreigner alleges:—

- (1.) That transit certificates are not respected en route;
- (2.) That after arrival at their destination, transit-paid imports are again subjected to local taxation;
- (3.) That foreign goods in the interior are either differentially or prohibitively taxed; and
- (4.) That, by means of various charges collected from producers, the transit privilege for native produce brought from the interior for foreign export is completely neutralized.

In reply, China urges the necessity for raising funds, a necessity which exists and

operates in China just as in other States, and the difficulty of preventing mistakes along routes that are only recovering tranquillity after a long period of rebellion. Further, pointing to the abuse of transit privileges by foreigners, China maintains that transit certificates merely protect from taxation en route, *i.e.*, from port to place inwards and from place to port outwards, and contends that, away from the transit certificate, all goods on Chinese ground are simply Chinese goods, whatever their first origin; the payment of transit dues does not entitle native produce to receive back what it had previously paid by way of local taxes, nor does a similar payment in the case of foreign merchandise free it for ever after from all further taxation.

That the case is as the foreigner complains cannot be wholly denied; as little, or less, can it be said that there is no force in what China puts forward in reply. But even admitting that the occurrences foreigners object to have been sufficiently numerous to warrant remonstrance, it must be pointed out that while, on the whole, very few instances of refusal to respect transit documents have been actually adduced, the majority of the few known cases have really been cases in which either transit documents were being used for goods they ought not to cover, or non-transit-paid goods were travelling in company and mixed up with transit-paid goods—in a word, in the majority of known cases there has been quite sufficient reason for supposing that the transit privilege was being abused. The transit system has existed some fifteen years; tens of thousands of certificates have been issued, and not twenty cases in all have been instanced in which the certificates are known to have actually failed to do what they were intended to accomplish, a fact which, notwithstanding what the one party says about interference with, and the other about abuse of, the transit privilege, on the whole, speaks well both for the system and themselves.

At the same time, seeing that complaints do exist—complaints, on the one side, of a transit right not respected, and on the other, of a transit privilege abused—not only would it be well to have an authoritative declaration of the intention and scope of the transit stipulation, but advantage ought to be taken of the opportunity to reconsider the general question, and introduce any improvements likely to help the satisfactory working of the very important rules which provide for access to both inland marts and producing districts.

§ 13. But while thus much is said about foreign complaints concerning Treaty rights withheld or interfered with at the ports and in the interior, it must not be forgotten that China has also put forward counter-charges, and that this review of the conditions subject to which the proposals called for must be made, would be incomplete were Chinese complaints neither indicated nor examined.

§ 14. Thus, at the ports, China complains—

(1.) That foreigners act as consignees for Chinese-owned, foreign-bottom-brought goods, to enable those goods to evade the local charges payable on native-bottom-brought goods of the same description, and that they thereby defraud the revenue and place Chinese trading in their own names at a disadvantage.

The foreigner replies that, (1), the flag covers the goods, and that what is entered under one Tariff—the foreign—is not liable under the other—the native; and besides argues, (2), that having already paid import duty according to the foreign Tariff, it is unfair to the goods, and harmful to the interests of foreign shipping, to let them be taxed further. Both clauses of the reply have something in them; but so has the complaint; moreover, it must be allowed, that, whatever else Treaties and intercourse aim at doing, it is not intended or desirable that their provisions and conditions should be wrested to injure Chinese revenue. The matter is clearly one that ought to be attended to, and arranged for.

(2.) That foreigners convoy opium for Chinese, to prevent the collection of *li-kin*.

The preceding remarks apply to this also, but it may be added that this practice of conveying opium is not only less justifiable than the act of appearing as consignée of Chinese-owned Chinese goods, but, if carried to a certain point, becomes criminal, and exposes the person concerned to the greatest personal risk.

(3.) That foreigners make it part of their port business to sell their names and transit documents to Chinese to cover produce brought from the interior, but neither intended for foreign export nor in any way the property of foreigners.

This complaint is connected with those that follow under the heading of Chinese Inland complaints.

§ 15. While it is thus at the ports, it is complained inland—

(4.) That foreigners bring down produce from the interior for Chinese, and that, as such produce is not intended for foreign export, and does not concern foreign trade, goods are thus brought under the transit rule which ought not and were not intended, to have

the benefit of it, not only causing loss to local and special revenue, but creating for one man's goods unfair advantages over those of other men.

This complaint is believed to be founded on fact, and the proceeding is, beyond question, an abuse. Its rectification would form part of any authoritative declaration of the scope of the transit rules.

(5.) That foreigners purchase produce inland, and, after passing it "in transit" at various barriers without payment of taxes, sell it in the interior, thus escaping both local tax and port transit due, causing loss to revenue, and competing unfairly with native traders.

It is doubtful whether there have been many instances of such inland trading, but it is not an impossibility, and, in any re-arrangement of the general question, the rectification of this possible abuse ought not to be overlooked.

(6.) That foreigners engaged in a lawful transit business engage at the same time in an illegal inland trade alongside of, and covered by the lawful trade, *e.g.*, by both buying and selling produce in the interior, and by carrying goods not entered for transit in company with goods covered by transit documents.

This charge may or may not be well-founded; in any case, the complaint needs to be kept in mind.

(7.) That foreigners defy the officials at the inland barriers and refuse to submit to examination.

If this occurs the foreigner is clearly doing wrong, but to permit it to occur is the fault of the barrier officials. Such complaints were often heard some years ago, but latterly no instance has come under notice.

§ 16. It will be seen that both foreign and native complaints at the ports and in the interior are not chance growths, but the necessary products of a system and its rules. Commercial intercourse may be said to mean, first of all, exchange of products; thus commercial intercourse between China and not-China would mean exchange of China's for not-China's products. But commercial intercourse between China and not-China under the Treaties covers something more; it means not merely exchange of China's for not-China's products, but goes further and authorizes not-China to engage in China's internal trade,—in the exchange of the products of any one part for those of any other part of China. It does not even stop here—it goes still further; it means that not-China shall engage in China's internal trade, not in accordance with China's regulations and tariffs for native traders and inland budgets, but in accordance with a novel system devised for not-China's advantage as a foreign trader, and a tariff and regulations originally intended for foreign and not native trade. The foreign tariff and its attendant rules may be unobjectionable as long as their operation is restricted to commercial intercourse in its first signification; but, set up in competition with a native system and applied to internal or domestic trade, they have created a serious derangement in China's affairs. At every point they favour the enterprise of the native who breaks native laws, and while they thus act injuriously on honest Chinese traders, they also create difficulties for and make enemies of the officials who administer native laws; at some points they even restrict the foreigners' own operations. The result has been harmful to native merchants and native revenue, and the sense of this has again resulted in opposition to the extension of foreign intercourse and interference with the rights of foreign commercial intercourse properly so called. Most if not all of the complaints are to be traced directly or indirectly to the contemporaneous existence of two systems—a foreign tariff and a native tariff—side by side, and until this is changed complaints must continue to be uttered.

§ 17. What precedes in a word amounts to this: the foreigner complains that China violates his Treaty rights. China complains that the foreigner abuses his Treaty privileges. New rules ought, therefore, to aim at doing two things: they ought to reduce China's temptation to violate the foreigner's Treaty right to a minimum and make the abuse of Treaty privileges an impossibility for the foreigner, and they must neither create new burthens nor rescind existing privileges. These ends can only be secured when each party is really desirous of a fair and satisfactory settlement, and ready to concede to what the other urges all the consideration the circumstances merit.

The commercial proposals will now be submitted in four alternative sets.

§ 18. Commercial Proposals. First Set.—Seeing that foreign commerce is really interested in but a few of the hundreds of classes of articles that reach and leave Chinese ports, and in order, on the one hand, to secure for these few classes the fullest possible benefit of the widest interpretation of the Treaty rights held by some to already exist, *i.e.*, freedom from all taxation on payment of a fixed tariff duty, and, on the other, to secure for China the greatest possible exemption from any abuse of Treaty privileges in

respect of all other goods, *i.e.*, no right to exemption from necessary local taxation, it is proposed :—

Imports.

(1.) That, on the one hand, the Treaty Powers shall consent that the following imports, say, cottons, woollens, metals, and sugar, shall pay import duty and transit due simultaneously to the Maritime Customs on arrival at a Treaty port; and that, on the other, China shall consent that the said goods shall be for ever after in all parts of China, whenever, wherever, and with whomsoever found, free from every kind of local, territorial, or special tax.

(2.) That, on the one hand, the Treaty Powers shall consent that opium shall pay an import duty of 120 taels per picul to the Maritime Customs on arrival at a Treaty port, and that away from the port, *i.e.*, at a distance of thirty li from the Custom-house, it shall be regarded as a Chinese commodity, and be subject to local, territorial, and special taxation, whenever, wherever, and with whomsoever found; and that, on the other, China shall consent that no other charge shall be levied at the port.

(3.) That, on the one hand, China shall consent that all other imports shall be freed from payment of import duty and transit due to the Maritime Customs on arrival at Treaty ports; and that, on the other, the Treaty Powers shall consent that all such goods shall be dealt with after landing—but not in connection with landing—by the local territorial authorities in accordance with local regulations.

(4.) That, on the one hand, China shall consent that at distributing ports having a direct foreign import trade, such as Shanghai, the duty-paying imports above named may be entered as “in transit for other ports,” and, a bond being given by the original importer, be freed from payment of import duty and transit due for a period of months or till arrival at another port; and that, on the other, the Treaty Powers shall consent that three years after arrival re-exports shall not be entitled to “drawbacks.”

Exports.

(5.) That, on the one hand, China shall consent that the following exports—the staples of foreign trade outwards—say, tea, silk, sugar, and cotton, shall be exempt, whenever, wherever, and with whomsoever found, from every kind of local, territorial, or special tax in every part of China; and that, on the other, the Treaty Powers shall consent that the said goods shall pay export duty and transit due simultaneously to the Maritime Customs on shipment at a Treaty port.

(6.) That, on the one hand, China shall consent that all other exports on shipment at Treaty ports shall be freed from the payment of export duty and transit due to the Maritime Customs; and that, on the other, the Treaty Powers shall consent that all such goods shall be dealt with in every part of China—but not in connection with shipment—by the local territorial officials in accordance with local regulations.

Transit.

(7.) That, on the one hand, China shall consent that foreigners and natives may alike take, send, buy and sell cottons, woollens, metals and sugar inland, without being anywhere or at any time subject to any tax or charge whatever; and that, on the other, the Treaty Powers shall consent that foreigners or natives who may take, send, buy or sell other goods inland may alike do so, but without exemption from any local, territorial, or special tax or impost.

(8.) That, on the one hand, China shall consent that foreigners and natives may alike bring, send, buy or sell tea, silk, sugar, or cotton from, to, or at inland places, without being anywhere or at any time subject to any charge whatever; and that, on the other, the Treaty Powers shall consent that foreigners or natives who bring or send, buy or sell, other Chinese produce from or to or in the interior may alike do so, but without exemption from any local, territorial, or special tax or impost.

(9.) That all transit documents being thus done away with, aliens must carry with them the prescribed passport when travelling in the interior.

Treaty Ports.

(10.) That in return for this general re-arrangement of the commercial question, China shall consent to open new ports to foreign trade,—say, Chungk'ing, Ichang, Ngankang, Wuhu, Wénchow, &c.

Revision.

(11.) That in return for this general re-arrangement of the commercial question, the Treaty Powers shall consent that every fifth year there shall be revision of the Commercial Regulations and Tariff, when the list of duty-paying goods, rates of duty, differences of rate resulting from differences in measurement and quality, &c., shall be reconsidered; the revised rules, &c., to come into operation the following year.

§ 19. *Commercial Proposals: Second Set.*—Supposing that the first set is negatived, and seeing that complaints have their origin, on the one hand, in want of clearness in the Treaties, and, on the other, in difference of rules for natives and foreigners,—seeing, besides, that, in point of want of clearness, the chief defect in the Treaties is in the provisions respecting merchandize that has paid duties or transit dues, and that the chief evil resulting from difference of rules is the impossibility of uniformity, it is proposed:—

(1.) That imports of foreign origin, after payment of import duty, shall be free from every kind of tax at the port, and shall not be again taxable till, when crossing the line that divides port from interior, transit dues are leviable: a Mixed Commission to sit at each port to determine the port area and fix the boundary line.

(2.) That imports entering the interior may do so with or without transit papers: if without transit papers, they are to be liable for all local taxes, no matter in whose hands, and if carrying transit papers, which natives and foreigners may alike procure on payment of the Treaty transit due, they shall be free, no matter in whose hands, from all taxation both *en route* from the port and on arrival at the place. On sale at the place of destination, or on departure from it, the transit papers are to be given up, and the goods, no longer protected by the certificate, are to be held liable for all future local taxes, no matter in whose hands, like all other non-transit-paid goods; but such goods are not to be differentially taxed or in any way called on to make up for charges escaped while travelling under the protection of transit papers.

(3.) That native produce from the interior may be brought down by natives and foreigners alike under transit papers—or, if those concerned so desire, without transit papers and like all other Chinese goods, *i.e.* without exemption from any local tax. If brought down under transit papers and exempted from local taxation, such produce, on arrival, must be entered at the Maritime Customs as “in transit.” When subsequently shipped to a foreign country, it shall pay export duty and transit due; if shipped to another Treaty port, it shall pay export duty and an inland due equal to the export duty; if not shipped to foreign or Treaty port within _____ months from arrival, the person who registered the produce as “in transit” shall pay an inland due equal to twice the export duty.

(4.) That foreign imports, whether with or without transit papers, may be disposed of *en route*, but native produce once entered for transit, and travelling under transit papers, may not be disposed of inland, but must be brought to the Treaty port, failing which the merchant concerned will be required to pay a fine of _____ taels. Where transit-paid and non-transit-paid goods travel in company, the merchants concerned must hand lists of their goods to the barriers met with; if any non-transit-paid goods are found travelling with transit-paid goods and are not reported by the merchant, all the goods, whether transit-paid or not, will be confiscated.

(5.) That re-exports shall not be entitled to drawbacks unless re-exported within three years from first arrival.

(6.) That there shall be a revision of the Tariff and Tariff Rules every fifth year, and that the revised Tariff and Rules shall come into operation the following year.

§ 20. *Commercial Proposals: Third Set.*—Supposing neither first nor second set to be accepted, and supposing that the meaning of the Treaty really is, that, after payment of import duties, foreign goods, alike at the port and in the interior, are taxable like all Chinese goods, and are only to be exempted from taxes while travelling from a port to a place accompanied by transit papers, it is proposed:—

(1.) That it shall be authoritatively stated that, whether owned by natives or foreigners, imports of foreign origin may be taken inland under transit papers from port to place by Chinese as well as foreigners, and that the transit papers are to be surrendered on arrival at the place, and the goods thereafter regarded as Chinese goods, liable for all charges, no matter in whose hands.

(2.) That when produce is brought from the interior under transit papers, the bringer shall deposit a promissory note for the value of the produce with the Customs, and that, in the event of the produce being exported to a foreign port within _____ months from arrival, the promissory note shall be cancelled; failing this, the promissory note shall be presented and enforced.

(3.) That foreign imports, whether with or without transit papers, may be disposed of *en route*, but native produce once entered for transit and travelling under transit papers, may not be disposed of inland, but must be brought to the Treaty port, failing which the merchant concerned will be required to pay a fine of taels. Where transit-paid and non-transit-paid goods travel in company, the merchants concerned must hand lists of their goods to the barriers met with; if any non-transit-paid goods are found travelling with transit-paid goods and are not reported by the merchant, all the goods, whether transit-paid or not, will be confiscated.

(4.) That re-exports shall not be entitled to drawbacks unless re-exported within three years from first arrival.

(5.) That there shall be a revision of the Tariff and Tariff Rules every fifth year, and that the revised Tariff and Rules shall come into operation the following year.

§ 21. *Commercial Proposals: Fourth Set.*—The first set comprises the proposals thought most likely to be really useful to both foreigner and native; the second set follows the more liberal interpretation of the Treaty; the third follows the less liberal interpretation. Supposing all three sets to be thrown out, a starting-point must be elsewhere sought. It is therefore proposed:—

(1.) That, if officials have no satisfactory propositions to make, the merchants themselves, with whom the demand for a rearrangement originated, be called upon to propose the rules they wish to be bound by within the limits of existing Treaties.

§ 22. The remarks that precede the proposals, §§ 8 to 17, will have prepared the reader to understand the object aimed at by each suggestion, and to see why and where the alternative sets differ from each other. In the concluding remarks at the end of this Memorandum, §§ 45 to 50, will be found some observations on the advantages the various proposals, but more especially those of the first set, are thought to offer.

III.—Judicial.

§ 23. The commercial provisions of the Treaties had naturally to be supplemented by judicial arrangements. The judicial stipulations are as follows:—

a. Questions between foreigners shall be subject to the jurisdiction of the foreign authorities.

b. Chinese guilty of criminal acts towards foreigners shall be punished by the Chinese authorities.

c. Foreigners committing a crime in China shall be punished by the foreign authorities.

d. Foreigners having a grievance against Chinese shall state it at the Consulate; the Consul shall try to arrange it amicably, and, if he fails to do so, shall request the Chinese authorities to assist, that they may examine together and decide equitably.

e. Chinese having a grievance against foreigners may state it at the Consulate, and the Consul shall act as before.

f. In cases of incendiarism or robbery, the local authorities are to recover stolen property, suppress disorder, and punish the guilty.

g. If a foreign vessel is plundered the Chinese authorities are to arrest and punish the pirates, and recover the stolen property.

h. Chinese taking refuge at Hong Kong are to be surrendered to Chinese authorities on official requisition and proof of guilt, and, at the ports, on requisition.

i. If Chinese debtors abscond, Chinese authorities are to do their utmost to arrest and enforce payment. Foreign authorities to act similarly if foreign debtors abscond.

k. Chinese incurring debts at Hong Kong, *i.e.*, out of China, the foreign Courts on the spot are to arrange. If Chinese debtors abscond and reach Chinese territory, the Chinese authorities, on Consular application, are to do their utmost to see justice done.

These stipulations are sufficiently numerous and sufficiently general in spirit and letter to provide for the majority of possible cases; but, nevertheless, even in judicial matters, the complaints on both sides are many and frequent. Premising that such complaints originate rather in difference of law, procedure, and penalty, than in any premeditated intention to neglect business or act unjustly, some of them will now be noticed under the headings of Person, Property, and Revenue.

§ 24. Where questions affecting Person have arisen, foreigners have complained that their Chinese assailants have not been arrested, or, if arrested, have either not been punished or have been insufficiently punished, or that the real criminals have been allowed to escape and other friendless wretches substituted, or that, where several ought to have been alike punished, only one has been dealt with, &c.

On the other hand, Chinese in turn complain that foreigners assault Chinese with impunity; that what China calls murder is invariably excused or made manslaughter by foreign Courts; that where Chinese law prescribes death the offending foreigner is sentenced to only a short imprisonment; and that, while the foreigner insists that Chinese shall be punished with death where foreign life has been lost, he, on his side, expects China to accept a small sum of money in lieu of a death punishment where Chinese life is lost, &c.

The foreigner charges the Chinese official with accepting bribes, and urges that Chinese torture will make any innocent person admit that he is the guilty criminal; similarly, the Chinese are not convinced that Consuls do not take bribes, and point out that the foreign mode of examining witnesses does not invariably elicit the whole truth, and that trial by jury does not always do justice. Moreover, while the foreigner protects the accused by throwing the onus of proof on the accusers, Chinese will not condemn or punish till the offender has himself confessed his guilt.

When these complaints are carefully looked into, it becomes evident that what gives common offence to both sides is not that crime is not considered crime, or that the laws do not provide punishments for crime, but that there is no common and uniform procedure.

§ 25. In the matter of questions affecting Property, complaints of much the same kind are to be heard.

The foreigner complains that the Chinese authorities are dilatory, shield their own people, refuse justice, &c.; and the Chinese complains that the foreign officials fear to offend their own nationals, believe the foreign and reject the Chinese evidence, decide unfairly, &c.

More especially the Chinese feels aggrieved when he sees that a foreigner who has a claim against a Chinaman is never content till he has done his utmost to wring the whole amount from the family, friends, or securities of the debtor, while the Chinese who has a claim against a foreigner is required to accept a decision which makes the debtor a bankrupt, and gives the creditor either nothing at all or only so much per cent.

Moreover, Chinese complain that foreign complaints are often Chinese complaints in disguise, and assert that the foreigner merely fathers them for a commission, the result being that, when the machinery of a Consular Court is set in operation, one Chinese is enabled to do injustice to another, and effectually screen himself behind the foreigner.

As with Personal cases, so too in cases affecting Property, the procedure of the one side does not satisfy the requirements of the other.

§ 26. When cases arising out of Revenue matters come up, the punishment provided for by the Treaties is confiscation or fine. The penalty of confiscation is prescribed when goods are discharged before permit to open hatches is issued, when goods are landed or shipped, after hatches are open, without permit, when goods are transhipped without permit, when fraud on the revenue is detected in goods for which drawbacks or exemption certificates are applied for, when vessels trade at non-Treaty-port places, &c.; and the penalty of a fine is prescribed when masters fail to report their ships within forty-eight hours, or open hatches without permission, &c. There is besides a special article of a general kind which says that when a vessel is concerned in smuggling, the goods, whatever their value or nature, shall be subject to confiscation by the Chinese authorities, and the ship may be prohibited from trading further and sent away as soon as her accounts are paid; and another article adds that all penalties enforced or confiscations made are to belong and be appropriated to the public service of the Government of China.

While the Treaties have thus enacted rules and prescribed penalties in connection with their commercial stipulations and in addition to their judicial provisions, they have not established Courts to record or procedure to try this class of cases. To remedy this defect Joint Inquiry Rules were subsequently drawn up. These Rules make this distinction: that, whereas the Chinese Customs have presumably already seized and hold possession of the goods concerned in cases for which the penalty is confiscation, while in those cases in which the penalty is a fine, the individual concerned is a foreigner, and, as such, can only be got at through his Consul, it is a mutually fair arrangement, in cases of fine, to require China to prove in the foreign Court that the individual has done what deserves a fine, and in cases of confiscation, to require the parties interested to prove in the Chinese Court that their goods do not deserve to be confiscated. In the one case the Customs authority sits with the Consul in the Consular Court, and may appeal against the Consular decision, and in the other the Consul sits with the Customs authority in the Customs Court, and may appeal against the Customs decision. This procedure is fair to all parties; the open inquiry elicits all facts and gives full publicity, and the right to appeal is adequate protec-

tion against either injustice or harshness. The Joint Inquiry Rules may therefore be held to supply a want, and so far they seem to have worked fairly well.

But, nevertheless, complaints are still to be heard: the foreigner, for instance, complains that in cases of confiscation the Chinese Government is pecuniarily interested, and urges that it ought not to have the power of judging where it is itself so directly concerned, and, on the other hand, China complains that where the letter of the Treaty rule is clear and unmistakable, the foreign authority is continually urging that the spirit of it means something else, and invariably construes it in a way adverse to the punishment stipulated to be inflicted.

These complaints exist, and the inference is that the matter requires consideration and authoritative adjustment. The Joint Inquiry Rules have established a fixed and intelligible procedure, but they have failed to silence complaints, and the procedure cannot yet be pronounced to be the best possible under the circumstances.

§ 27.—The complaints to be heard on each hand concerning the way in which questions concerning person, property, and fines and confiscations for breaches of revenue laws, are judicially dealt with, all point in the same direction: a common procedure of a kind to silence the objections of both sides is still wanting. Considering that principle, procedure, and penalty all differ, it is no wonder that complaints are made; but seeing that there is no desire to be unjust, it is to be presumed that it will be possible to elaborate arrangements that will be accepted by, and be satisfactory to, both foreigner and native alike.

The Judicial Proposals will now be submitted: like the Commercial, they are drawn up in four alternative sets.

§ 28. *Judicial Proposals: First Set.*—Seeing that on both sides there were laws and punishments long before Treaties were thought of; seeing that the judicial stipulations of the Treaties fully prove that each wishes to act justly and give the other no cause of complaint; and seeing that the complaints that have originated may be traced to the want of a common procedure, and that therefore the establishment of a common procedure in cases affecting both foreigners and natives is the chief end to be aimed at, it is proposed:—

(1.) That disputes between foreigners, and in which Chinese are not concerned, shall continue to be heard and arranged by the foreign authorities.

(2.) That for the arrangement of all questions affecting person or property, &c., and which concern both foreigners and natives, a Common Code shall be drawn up.

(3.) That a Court shall be established at each Treaty port to administer the Common Code: that this Court shall be presided over by one of the expectant Taotais, to be appointed to that duty by the Governor of the province, and that there shall be associated with him a foreign co-Judge in Chinese pay: that in cases of importance there shall be two assessors, one to be named by the plaintiff and the other by the defendant: and that this Court shall be empowered to summon foreigners and natives alike to appear as witnesses.

(4.) That in addition to ordinary cases affecting person and property, all Customs cases involving confiscation of goods or fine for breach of regulations, shall be heard and settled by this Court.

(5.) That in cases involving not more than dollars, or punishment not exceeding imprisonment, the decision of this Court shall be final.

(6.) That in cases involving more than dollars, or punishment of a more serious nature than imprisonment, there may be appeal within days to the Chief Superintendent of Trade.

(7.) That where the sentence of this Court is death, it must be approved of by the Yamên and Minister concerned before being given effect to.

(8.) That there shall be no torture made use of in the examination of witnesses; that confession of guilt be not required from the accused; and that perjury and contempt of Court be punishable by fine and imprisonment.

(9.) That lawyers may be employed to prepare plaints, examine and cross-examine witnesses, and draw up arguments in writing for both parties.

(10.) That a full report of each case shall be transmitted through the Yamên to the Legation concerned, for its information.

(11.) That the co-Judges shall be five in number: one to reside at Tien-tsin, for duty at Tien-tsin, Newchwang, and Chefoo; one to reside at Hankow, for duty at Hankow, Kiukiang, Wuhu, Ichang, and Chungking; one to reside at Shanghae, for duty at Shanghae, Ningpo, Chinkiang, and Nganking; one to reside at Foochow, for duty at Foochow, Wênchow, Tamsui, Takow, and Amoy; and one to reside at Canton, for duty at Canton, Swatow, and Hainan.

(12.) That the Judicial Rules shall be revised every fifth year, and the revised rules take effect the following year.

§ 29. *Judicial Proposals: Second Set.*—Supposing the first set of Judicial Proposals, which aim at providing a common procedure, to be rejected, and seeing that, where both foreigners and natives are parties to a cause, if a common procedure is impossible, the next most necessary thing to be done to convince both sides that justice is fairly administered, is joint action, it is proposed:—

(1.) That in all cases in which both foreigners and natives are concerned, Consul and native magistrate shall sit together as President and Assessor, the former presiding when the defendant is a foreigner, and the latter when he is a native—that is to say, each in his own Court.

(2.) That when the property involved is of value above dollars, or the prosecution arises out of loss of life, the Assessor shall have the power of appealing against the decision of the President to the high authorities at Peking.

(3.) That a résumé of cases shall be drawn up and circulated every fifth year, and rules of practice be drafted, precedents set forth and arranged, &c., for further guidance.

§ 30. *Judicial Proposals: Third Set.*—Supposing neither first nor second set of Judicial Proposals to be accepted, and that neither a common procedure nor joint action is to be looked for, the next best thing to do is to provide for the most important class of cases, and seeing that it is to the procedure in cases arising out of occurrences in which life has been lost, that exception has most usually been taken, it is proposed:—

(1.) That in all cases arising out of occurrences in which life has been lost, the local court shall make full inquiry, and send the proceedings to Peking for decision.

(2.) That the punishment the crime merits shall be inflicted, and that pecuniary compensations shall not be permitted to be offered or received.

(3.) That a list of cases shall be drawn up every five years and circulated for the ventilation of the general question.

§ 31. *Judicial Proposals: Fourth Set.*—Supposing that all the preceding three sets of proposals are thrown out, and seeing that some closer acquaintance with each other's procedure is called for, it is proposed:—

(1.) That each shall communicate to the other an explanation of what it is the duty of his national Court to do, when a plaint is presented affecting person or property.

§ 32. From the preceding proposals it will be seen that, where questions arise affecting both natives and foreigners, it is a common code, a common procedure, a common penalty, and a common court that are chiefly recommended. As in the case of the Commercial Proposals, what remains to be said as to the advantages the acceptance of these Judicial Proposals is likely to yield will be found in the concluding section.

IV.—Administrative.

§ 33. In the introductory remarks, complaints were arranged under three headings, Commercial, Judicial, and Administrative, and in view of the circumstances which condition action it was said in § 6, to be practical, proposals ought to be of a kind to convince the Treaty Powers that the limitations of any stipulation afford sufficient margin for the exercise of the rights it guarantees, induce China to see that the concession is not unlimited, and promise an improvement on the regulations and procedure now existing. In §§ 8 to 19 and §§ 20 to 29, the commercial and judicial complaints have been examined and proposals have been put forward supposed to be an improvement on existing regulations and procedure. The class of complaints described as Administrative remains to be noticed; and it is in connection with them mainly, and the suggestions about to be made to meet them, that an effort seems to be called for to induce foreigners to accept limitations and China to yield a sufficient margin. Anything effected in this direction will not be without its advantages.

§ 34. What are these administrative complaints?

On the foreign side they are chiefly of this kind, that foreigners are not allowed to circulate freely, or settle inland, or work mines, or introduce railways, telegraphs, and mints, or procure the adoption of appliances which they have convinced themselves are certain to be attended with beneficial results, &c. These complaints amount to this: that the Chinese Government refuses to accept foreign advice, or give foreigners *carte blanche* in China—and these again, say the complainants, to this, that China, in a word, is hostile.

On the Chinese side corresponding complaints are also growing. Just as the commercial arrangements of the Treaties have caused commercial and financial derangement throughout China, so, too, their administrative arrangements have created adminis-

trative difficulties for Government and officials, and local grievances for gentry and people. The country begins to feel that Government consented to arrangements by which China has lost face; the officials have long been conscious that they are becoming ridiculous in the eyes of the people, seeing that where a foreigner is concerned they can neither enforce a Chinese right nor redress a Chinese grievance, even on Chinese soil; and the Government has to admit that for what it has given up, it has got nothing to show in return; and all this is in turn attributed to the exterritorial clauses of the Treaties.

It is quite possible that the Treaties are not to blame, politically, judicially, or commercially, for all that is laid to their charge; but whatever handles they offer are on all sides eagerly laid hold of, and the grievances they are held to constitute are certain to be felt and complained of more and more, the longer they are allowed to continue to exist.

§ 35. Granted that China has shown unwillingness to accept foreign advice and act on foreign suggestions; to what is such unwillingness to be attributed? There are several causes in operation. First of all the Chinese are a very conceited people—they will hardly allow that their condition is to be improved upon; secondly, the Chinese are a very contented people—they dislike and fear change, and believe that the way of living that satisfied their forefathers for two or three thousand years will do well enough for themselves; thirdly, officials and people were alike ignorant on all foreign subjects, and did not for a moment imagine that there was anything better out of China than they already had in it; fourthly, people and officials, but more especially officials, have been suspicious of the foreigners' intentions, and still think every word must have some ulterior object, and every suggestion some sinister motive; these, and kindred reasons, have operated and are operating on all sides against foreign ideas and foreign ways, but, obstacles though they long have been and now are, they are nevertheless forces which must decrease in power in proportion as Chinese become better acquainted with foreigners and enlightenment becomes more general. At the same time their temporary potency will be rather increased than removed by any foreign pressure intended for their removal. But alongside of these there exists another set of opposing forces,—forces which must increase in power in proportion as China increases in enlightenment, and whose removal China cannot effect till the foreigner himself wills it.

§ 36. Granted that China is unwilling to increase the foreigner's liberty of action throughout the length and breadth of the land: this, too, is not without an explanation.

When the first Treaties were made China had had no experience of international dealings and no acquaintance with international relations, but the foreigner's knowledge of the many differences between Chinese and foreign official action in matters affecting property or person was already of a kind to make him unwilling to accept Chinese procedure: it was, therefore, wise and, at the time, right for the foreign negotiator to stipulate that questions affecting the persons or property of foreigners should be arranged by the foreign authority, and, on the other hand, the Chinese officials who consented to that arrangement without stipulating for the various limitations by which it ought to have been accompanied, can hardly be blamed for their want of political foresight, even had they been free to refuse acquiescence. But during the thirty years that have elapsed since then, Chinese officials have learned many things; they know that the Treaty Powers do not respectively accord to each other's subjects the position that the Treaties bind China to give,—they have seen that in questions between natives and foreigners, when the decision has rested with foreigners, natives, if it in any degree goes against them, are never satisfied,—and while they assert that the existence of this stipulation is already exercising an influence injurious to the prestige of the Government and the dignity of Chinese officials, they ask if it is to be wondered at that China refuses to assent to such an extension of it as might scatter it wholesale through China and multiply the troubles that foreign intercourse has so constantly caused them beyond all calculation.

Accordingly, when the foreigner moots anything new, the suggestion—viewed with dislike as recommending change, and with suspicion as coming from the foreigner—is only too likely to be replied to thus:—It may be good, but having done without it so long, we can do without it longer; it may be good, but, however good it may be, we cannot afford to accept it coupled with exterritoriality—we have granted exemption from Chinese control at the ports, but we cannot go on to make the exempt a power in the interior.

§ 37. The foreigner's administrative complaint is that China does not accept foreign suggestions; China's reply is that she cannot do so, so long as their concomitant is unlimited exterritoriality.

Like all other general terms the word exterritoriality looms larger in its vagueness than it really is, and, such being the case, it may be unnecessarily standing in the way of

both parties ; that part of the thing extritoriality which the foreigner really wishes for in China may be something which, once explained, China can continue to grant him without fear ; that part of the thing extritoriality which China dreads to see coming in as the concomitant of foreign suggestions, may be just the something that the foreigner does not really require or expect to be given. It would be hopeless to expect foreign Powers to consent to give up extritoriality categorically and without explanation ; but the word may be given up, and, of the things it covers, such may be retained under their own respective denominations as are really useful to the one side, and really harmless to the other.

What does the foreigner ask for ? Is it to maintain his present hazy and indefinite extritorial status ? He can do this : but not only will he then continue with no promise of other improvement, but will remain weighted with the opposition, suspicion and dislike that that status must ever keep alive for him in China. Is it extension of intercourse—growth of trade—development in China—improvement of international relations, that he seeks for ? He can have these : but only on one condition—a rearrangement and change of status. What does China seek for ? Does she wish to keep out everything smacking of extritoriality ? She can do so : but only at the loss of all the valuable lessons that foreign intercourse can teach. Does she want to learn those lessons—to become rich and strong ? She can do so : but only on condition that she will allow of some kind or portion of extritoriality within her boundaries.

On the one hand, given the certainty that there will be no great amelioration of the present state of things ; on the other, given the certainty that there will be improvement ; there can be no question as to which is the more pleasing prospect. But accompanying the future that promises no improvement, the foreigner retains his undefined extritoriality ; while accompanying the future that promises improvement, he has only a limited kind of extritoriality—has only so much of extritoriality as he can really find use for. Where then is the value of the other element as accompanying the one or as absent from the other—an unregulated extritorial status whose presence necessitates the first—stagnation ; and whose absence ensures the second—progress ? Surely the time has arrived when such an understanding might be arrived at as should remove this obstacle from the common pathway of both foreigner and native : it is preventing the one from doing what will be for his own good—it is keeping the other from reaping the fair rewards of much study, labour, and expenditure.

On both sides there is something valueless in extritoriality which either side can afford to give up to secure the something valuable in the improved intercourse that will accompany the residuum. Mutual concession is what is first of all necessary : but mutual concession is an impossibility, so long as there is not a common understanding,—and as for a common understanding, it cannot be arrived at unless both sides speak out.

If China says to the foreigner : you make too much of your extritoriality—you set too much value by it ; the foreigner naturally asks what he is to receive in exchange. If the foreigner says to China : you fear our extritoriality too much, you see more in it than it contains ; China as naturally asks in reply : What limits can be put on it ?

§ 38. On more than one occasion a high official has said : “ give up extritoriality and you may go where you like ; ” and the last time the subject came up he asked : “ will you even let *our* people in *your* ports have the standing we give *yours* in *ours* ? ”

If freedom of movement were all that is wanted, much might be urged in favour of closing with the first proposition ; on the one hand, China would be certain to take the greatest possible care not to interfere with the foreigner needlessly, so long as he did nothing that Chinese may not do, and, if interfering, would be as careful not to treat him in a way likely to provoke foreign intervention ; while, on the other hand, foreign countries would watch over the safety of their nationals just as jealously as they do now that they protect them by extritoriality. The travelling foreigner would then meet with less hindrances and be better treated everywhere than at present.

But—the foreigner will reply—liberty to circulate freely and settle anywhere is not all that is wanted ; foreigners want to circulate and to settle, in order to be able, in addition, to buy and sell, and to introduce improvements and changes, and these, he fears, are the very things that any renunciation of extritoriality would make it impossible for him to do. Better retain the extritoriality now enjoyed at the ports and under passport and the foreigner can already, within a limited area, act very freely ; he can also continue to ventilate the improvements it is in his power to suggest, and can declaim against the blindness of the Government that refuses to let its people appropriate all these benefits. But were the extritoriality he already enjoys given up, he fears that the power which now keeps him from working freely in the interior would virtually eject him from the ports, and that, if haply allowed to remain or go inland, he would still have to become

more Chinese than Chinamen, while the Government would grow more exclusive than ever.

Such fears cannot be set aside as groundless; at the same time, just as it is certain that, at this date, the objection of the Government is not so much an objection to improvements as an objection to improvements *plus* extension of unregulated and unlimited extritoriality; so, too, it is more than probable that, were extritoriality no longer the bugbear it is, China's cry would be for, and not against, what the foreigner styles progress. As once before remarked, the difficulties of a merely conservative or anti-progress programme become daily more apparent, and its enforcement less likely to be persevered in.

§ 39. It may safely be asserted that the extritorial stipulations of the Treaties have done more than anything else to set the Government against any extension of intercourse, and that these stipulations, whether it be by the interpretation given to them or the action taken under them, are increasingly producing an effect and exercising an influence unfavourable to the development of resources and introduction of improvements. Would it not, then, be well to take up the subject and hear what is to be said on both sides; how much of extritoriality the foreigner wants, why, and for how long; how much of extritoriality China feels at liberty to allow of, what it is she dislikes, and why; and put the whole question of the relation of each to other on a fair, friendly, and intelligible footing?

On the one hand, the foreigner must let China see that she is protected from what she has taken to be the chief dangers of intercourse; on the other, China must clear the course for foreign legitimate enterprise. Nothing will help to do both things so surely as a re-arrangement of the extritorial stipulations, and it is to do this, to still China's fears and open up a more promising future for foreign ideas, arts, and inventions in China, that the following suggestions, like the complaints, styled administrative, are submitted. The Treaties, it is true, do not contain the word extritoriality, but the stipulations referred to in section 20 constitute the foreigner's extritoriality in China. The suggestions that follow will deal with stipulations in the concrete, and not with the generalization.

§ 40. *Administrative suggestions.—First set.*—Where there is intercourse between two countries there are two points of primary importance: 1, that there shall be rules, and, 2, that the rules shall be plain, intelligible, and unmistakable; and among the ends to be thereby aimed at are these: that the foreigner shall not only know that he is not above the laws, but shall also know what laws he has to obey, and how he is to be dealt with; that the native shall know that the foreigner, though a foreigner, has his rights, and that both foreigner and native shall know that each has made the proper concessions to the other. The first set of suggestions now to be submitted are drawn up from this point of view:—

(1.) Seeing that doubt, discussion, and inconvenience are the result of diversity of form and language in the Treaties, and seeing that, in point of fact, and by reason of the most-favoured-nation clause, all the Treaties, however dissimilar in form and language, are identical in spirit and matter, it is suggested:

To consider whether it would not be possible to draw up one common version in Chinese for all Treaties, and to supplement it by equivalent versions in English, French, German, Russian, Spanish, &c.

(2.) Seeing that to some extent what is objectionable in existing Treaties may take its objectionable colouring from apparent want of reciprocity, and seeing that an appearance of reciprocity in Treaty concessions not only causes concessions to be less objected to, but makes Treaties generally easier to be worked, it is suggested:

To consider whether it would not be possible to arrange that foreigners arriving in China and Chinese arriving in foreign countries, shall reciprocally on first arrival report themselves to their own Consul, and shall after that enrol themselves either with their Consul as non-residents or with the local magistrate as residents, as they may themselves elect; the thus enrolled non-residents to be thereafter acknowledged and treated as aliens, and the thus enrolled residents as natives. Where there is no Consul the newly arrived to be for the time being held to be resident.

(3.) Seeing that where disputes arise between non-residents (*i.e.*, foreigners) which do not affect natives, the settlement of them need not necessarily be the work of the native officials of the locality, and seeing that in mixed questions where natives are affected, it is the more especial duty of native officials, who have consented to the coming of foreigners and made regulations therefor, and who are accordingly at the same time responsible for the well-being of both native and stranger, to see that disputes are fully inquired into and fairly settled, it is suggested:

To consider whether it may not be possible to extend the judicial provisions, proposed to be introduced and acted on in China, and arrange that while disputes between Chinese aliens in foreign countries are to be settled by their own Consuls, disputes

between Chinese aliens and natives of the countries resided in or affecting both shall be heard and settled by a special Court instructed to give effect to the common code proposed to be drawn up for the settlement of disputes between natives and aliens in China.

(4.) Seeing that the Treaty stipulations already provide that disputes between foreigners shall be dealt with by the foreign officials in accordance with the foreign laws, and that in cases where disputes affect both foreigner and native, the foreign and native authority shall conjointly settle matters equitably,—seeing that these stipulations do not place the foreigner above the native law or entitle him to disregard it,—and seeing, further, that it is a common complaint that foreigners do neglect to observe native laws held to be essential to the welfare, tranquillity, and well-being of the localities concerned, thereby creating nuisances, causing discontent, and evoking ill-will, it is suggested—

To consider whether it may not be possible to declare that foreigners—Chinese in foreign countries, and foreigners in China—shall be reciprocally obliged to observe all such laws of the locality as are prohibitory of doings calculated to offend and disturb the locality: what a native is not allowed to do, a foreigner shall not do—what a native may do, a foreigner may equally do: offenders to be proceeded against in the Special Court.

(5.) Seeing that foreigners may desire to possess lands and houses, and take shares in trades, industries and companies, and seeing that such kinds of property and all such enterprises are governed by the law of the land, and do not admit of a mixed treatment—one kind for the foreigner and one for the native—and seeing that it will be alike advantageous for such enterprises, and for all who wish to share in them, that the standing of all interested in them should be clearly proclaimed and defined, it is suggested—

To consider whether it may not be possible to declare that where aliens own lands or houses, or hold shares in public companies and native industries, they must—Chinese in foreign countries and foreigners in China—equally with natives reciprocally obey the native laws drawn up for the regulation of such kinds of property. Questions arising in this connection to be dealt with by the Special Court.

(6.) Seeing that in the interests of the dignity and authority of local officials everywhere it is advisable that there should be no unnecessary exceptions to the exercise of their functions,—seeing that the tendency of any exception, necessary or not necessary, is to set the official in question against the parties for whom the exception is made in the other matters that it comes within the power of that official to permit or prohibit, further, or impede; and seeing that in Customs as in other governmental matters the same care to refrain from creating exceptions is also advisable to be exercised, it is suggested:

To consider whether it may not be possible to enact that foreign ships arriving in China, and Chinese vessels arriving in foreign countries, shall reciprocally report arrival, deposit papers, and clear at the Customs, and that harbour-masters shall be empowered to note and extend protests, ship and discharge seamen, and do the other work of shipping-master and marine notary. The vessels and crews to otherwise retain their non-resident character, and be dealt with by their respective Consuls.

(7.) Seeing that it is mutually advantageous for officials to be easy of access to people, and seeing that the tendency of the necessary and official intervention of a third party is to give a hard and formal appearance to affairs, and to render official solutions necessary rather than expedite amicable and informal settlements, it is suggested:

To consider whether it may not be possible to declare that foreigners—Chinese in foreign countries and foreigners in China—shall reciprocally be at liberty to address the native officials direct, and without Consular intervention, whenever they may choose to do so.

(8.) Seeing that dues, duties, and taxes are all levied by the authority of the Government, and that there are tariffs according to which all such levies are raised—seeing that foreign Governments publish such tariffs, and that China has also published the tariff of duties payable at Treaty ports by foreigners,—and seeing that governmental requirements from time to time necessitate changes in special taxes raised in the provinces of China, it is suggested:

To consider whether it would not be possible for the Yamên to notify taxes, as established or abolished, to foreign representatives for communication to, and observance by their nationals.

(9.) Seeing that growth and change are constantly calling for modifications, it is suggested:

That each fifth year these so-called administrative regulations be revised: the revised regulations to come into operation the year following.

§ 41. *Administrative Suggestions: Second Set.*—Supposing the first to be thrown out, and seeing that some kind and degree of reciprocity may help to counteract some part of the ill effects of whatever is bad in existing arrangements, and gradually prepare the way for an extension of reciprocity, and other improvements, it is suggested:

(1.) That a common Chinese text be adopted for all Treaties.

(2.) That in foreign countries where China has established Legations and Consulates, disputes between Chinese, and not affecting natives, shall be arranged by the Chinese officials, and that in cases in which both Chinese and natives are concerned, the course followed in China for their settlement shall there also be adopted.

(3.) That vessels shall deposit their papers, &c., with the Customs, and enter and clear direct, without Consular intervention.

(4.) That there shall be a revision of these arrangements every fifth year, and that the revised arrangements shall take effect the following year.

§ 42. *Administrative Suggestions: Third Set.*—Supposing neither first nor second set of these administrative suggestions to be accepted, and seeing that the existence of the "most-favoured-nation" clause in each Treaty in point of fact puts all parties on the same footing, it is suggested:—

(1.) That one common Chinese text be adopted for all Treaties, and one Tariff for all merchants.

(2.) That revision of Treaty and Tariff shall take place every fifth year and come into operation the year following.

§ 43. *Administrative Suggestions: Fourth Set.*—Supposing that none of the preceding sets of suggestions prove acceptable, it is suggested:—

(1.) That every fifth year there shall be a general revision of Treaties, Tariffs, Rules, and Regulations.

§ 44. From the preceding suggestions it will at once be seen that the chief objects in view are to arrange for general revision at regularly recurring and not too distant periods and thereby keep with the times,—provide a common Chinese text for all Treaties and thereby make stipulations and rules easily intelligible,—introduce as much reciprocity in arrangements as circumstances will admit of and thereby win popular assent,—and improve existing stipulations wherever experience shows them to be defective and thereby obviate mischievous results. Should it be found possible to take action in the direction suggested, China would recognize the fact that foreigners in China are subjected to proper limitations and foreigners would equally recognize the fact that, although subjected to limitations, they are nevertheless able to obtain everything they have a right to look for. Such an end once secured would have a most beneficial effect on general interests. What yet remains to be said as to the advantages to be gained from the adoption of these administrative suggestions will be found in the section that now follows, headed Concluding.

V.—Concluding.

§ 45. For the present the four sets of proposals that precede may suffice; but it still remains to supplement what has been said in explanation of the causes that warrant such proposals by some remarks respecting the advantage they appear to offer.

If it be merely desired to retain and give full effect to existing Treaties, what is mainly wanted is an authoritative declaration of the interpretation of a few debated clauses; on the commercial side, the chief desideratum is a definitive statement of the meaning of drawback and transit stipulations, and, on the judicial, a clear understanding as to the occasions on which the native and foreign authority shall act conjointly, and the nature and limits of that conjoint action. What have been adverted to as administrative requirements would thus remain unprovided for.

But, when the question of a better regulation of the commercial side of foreign intercourse is fairly met, and means and ends carefully looked at from the standpoints of both parties, it is evident that, in point of fact, what both want is, after all, changes in, rather than confirmations of, present arrangements. The Treaties have forced foreigners into certain grooves, and have done even this in a way that has provoked native opposition; and, while the matter of each stipulation has opened the door to abuse of Treaty privileges by one party and to interference with Treaty rights by the other, the principle that runs through the stipulations has itself been the strongest possible incentive to abuse by these and interference by those. Everywhere there is an escape from restrictions, and a means of shutting the door in the face of liberty of action. If it be desired that intercourse

should become friendlier, development quicker, and commerce greater, it is change and not confirmation that is called for.

§ 46. The acceptance of any of the foregoing sets of proposals would remedy some existing evils ; but it is for the first set that attention is especially invited.

If the first set of proposals should chance to be given a trial, their accruing advantages would speedily be recognized in the directions below indicated :—

Commercially.

(1.) One and the same treatment is provided for foreigner and native : so that there need neither be abuse of privileges nor interference with rights.

(2.) The eight or ten commodities, imports and exports, in which foreign trade is really—if not alone—interested, are not only relieved from uncertain and variable taxation, but are freed from all taxation, on payment of the one fixed charge at a Treaty port.

(3.) The merchandise in which foreign trade is not interested and which circulates in China for Chinese domestic use is freed from the application of the foreign Tariff at Treaty ports and is left to be dealt with by the territorial authorities according to local rules and requirements.

(4.) As regards a third class of goods, viz., the articles of foreign origin which, though recognisable as foreign, are not staples and are for the most part only disposed of at the ports and not sent into the interior—articles which, though foreign, are not easily distinguishable from Chinese articles and yet are also not staples—and the articles which, being of native origin and bought for foreign export, are, like the scattered imports, neither certain nor abundant in the export trade—all these articles and commodities, of little importance to foreign trade, are left where they are now : that is, they remain exposed to the uncertain incidence of local taxation, but are, on the other hand, freed from the certain incidence of import or export duty at the Treaty ports.

(5.) The local taxation of Chinese goods for Chinese domestic use and of the insignificant imports and exports referred to in the last paragraph, is not to be in any way connected with shipment or discharge at Treaty ports, so that vessels which take mixed freights will neither have to deal with two sets of Custom-houses nor be subjected to any special detention.

(6.) Where the foreigner competes with the Chinese merchant in Chinese trade on Chinese ground, he will do so on the same footing and conditions as the native ; where the native competes with the foreigner in foreign trade, he will do so on the same footing and conditions as the foreigner.

(7.) Vexatious espionage at the ports and transit troubles in the interior disappear.

(8.) No interest is sacrificed to another : neither foreign staples to Chinese desire for revenue—nor Chinese taxation to isolated commercial ventures—nor the goods in which one Power is interested to those which concern some other ; what is fair to each and good for all is secured and promoted.

(9.) Foreigners will no longer be reproached for selling their names to Chinese—native hostility to foreign trade will disappear—officials will no longer be able to say that local revenue is destroyed by foreign trade—foreign trade itself will in every way be freed from burdens it has now to bear.

(10.) Quinquennial revision will periodically effect timely changes, removing what is bad and adding what is good.

Judicially.

(11.) With one code and one procedure for all cases in which both foreigners and natives are concerned, and with concomitant arrangements adequate to the protection of person and property, complaints will be stopped and much that is now offensive will disappear.

(12.) Room is left for growth and expansion, and for improvement of both code and procedure. Quinquennial revision provides for proper adaptation to the requirements of the times.

Administratively.

(13.) The very fact of consenting to consider the points set forth in the administrative suggestions will bring both native and foreigner into more friendly relations, and any action taken in the directions proposed will not only lessen the chances of further misunderstandings, but will set free agencies that are now under a ban and convert hostility and opposition into friendliness and co-operation.

(14.) The steps suggested on the administrative side will do much to ensure the satisfactory working of both judicial and commercial proposals: on the one hand there will be less likelihood of interference with commercial interests, and on the other, greater certainty of compliance with all that is required judicially.

For these and other reasons, a common trial of the first set of proposals is to be strongly recommended.

§ 47. On the foreign side the political world may object to surrender anything already obtained from China—the Christian public may hesitate to trust their Christian nationals in pagan China unless surrounded by the full blaze of extraterritoriality—and the mercantile classes will ask what security is there that China will keep her engagements.

Here we are met by objections not without force or meaning: each one of them merits its due share of consideration. Let them be fully thought out and let allowance be made for the utmost value of all they suggest; but, that done, let what now exists and what is proposed for adoption be put side by side and judged of by the light of the following considerations;—

(1.) That the present situation is approved of by neither party.

(2.) That mutually advantageous alterations can only be obtained by mutual concessions.

(3.) That what is proposed is not necessarily more than a five years' experiment, subject to revision and approval, and if needs be, to withdrawal.

(4.) That such proposals, if presumably likely to yield results that will be so many gains, commercially, judicially and administratively, ought to be allowed a fair trial.

(5.) That the proposals, instead of stunting, nourish growth—instead of forcing into grooves, clear the ground for enterprise—instead of perpetuating distinctions that alike tempt native and foreigner, class all individuals together and make interests identical and not antagonistic.

(6.) Politically, is it not an error to keep alive the cause of administrative difficulty? Judicially, is it not a fact that although the Court may be pagan, it will have to proceed publicly and according to new laws, while individuals concerned are so few that such special arrangements can never be the cause of national inconvenience, and does not every-day experience show that China treats the subjects of other States, not removed from Chinese jurisdiction, with extraordinary gentleness? And as for distrust of China's willingness to act up to her engagements, if good faith be not taken for granted, meaning thereby the desire and the ability to keep one's engagements, what is the use of any such thing as negotiation?

Comparing the existing and the proposed arrangements, with all these considerations before the mind, it is evident that there is much more to be said in favour of a departure from, than in favour of a confirmation of existing arrangements.

§ 48. On the Chinese side, whatever other difficulties may crop up for those who have to take action, it is not unlikely that one difficulty in the way of the acceptance of these proposals will be the desire of critics to take and not give. When Treaties were first entered into it was all giving and no getting on the part of China, and now the rebound may be felt, and there may be a desire to get and not give. Perhaps the advantages of what is conceded to China will be so undervalued, or the advantages of what is proposed to be conceded to the foreigner will be so magnified, or the desire to give as little as possible will be to such an extent uppermost, that thereby the proposals may come to naught. To this all that one can say in advance is, that, while the order to make proposals means that it is intended to take action, critics must remember that those who would take must also be willing to give; mutual concession for mutual advantage is not only essential, but fair and reasonable, and, moreover, even one's own property—if it is once pawed—can only be redeemed by a payment. Objectors should consider these things, and those who have to take action may rest assured that, should the proposals be adopted, China's gain will not be less than the foreigner's.

§ 49. As will have been seen, there are three sets of proposals, and in each set there are four alternative sets. The natural order and logical sequence would, perhaps, be administrative, judicial, commercial, but it has been thought better to adopt the reverse order—commercial, judicial, administrative; and the object with which this has been done is that what there may be of great obstacles to the acceptance of the judicial proposals, or of greater obstacles to the acceptance of the administrative, should not stand in the way of a full consideration of the commercial as preceding the judicial, or in the way of the judicial as preceding the administrative. The judicial proposals are of easier acceptance than the administrative; the commercial, again, are probably of easier acceptance than the judicial. Under each of the three headings any alternative set of proposals is complete in itself, and may be accepted while all the rest are rejected; or, any one of the alternative

sets under one heading may be adopted and combined with any one of the alternative sets under either of the other two headings. Again, each proposal, although sufficiently detailed to be intelligible, is possibly susceptible of improvement, and would in any case necessarily require further consideration and elaboration before being made law, to say nothing of the supplementary regulations it would require to have drawn up for its proper working.

§ 50. In conclusion, the hope may be expressed that the commercial proposals will help to place commercial dealings on a better footing, and remove much ground for complaint, that the judicial proposals will introduce improvements in judicial business, and do away with the cry that justice is withheld; and that the administrative suggestions, first of all assisting to secure and consolidate commercial and judicial advantages, will in the end improve the tone of general intercourse, and remove the chief obstacle, political opposition, from the pathway of future relations. But it must not be supposed that these proposals will be a panacea for all ills, or a philosopher's stone, to turn all they touch into gold. Even supposing that they are put in operation, and that they induce forgetfulness of past grievances and certain anticipation of future benefits, even then they will not make foolish officials act wisely; nor will they make underpaid officials respect regulations when gain is to be got; nor will they make turbulent people quiet; nor will they enable fortunes to be made other than in accordance with the circumstances that condition trade. If fairly acted upon, it is confidently believed that they will be followed by results more or less beneficial to both China and not-China; but time alone will show in how far and in what directions this belief is well or ill-founded. If failing to effect what is looked for—and, indeed, even if failing to be adopted—they will, at all events, serve to introduce questions that demand settlement, and explain some of the conditions and difficulties that must be grappled with if a solution is to be arrived at. That it is not an easy task to draw up such proposals must be apparent to any one who re-reads the conditions imposed by the Yamên's instructions, as quoted in the first paragraph.

(Signed) ROBERT HART,
Inspector-General of Imperial Maritime Customs.

Peking, January 23, 1876.

2.—Supplementary Despatch.

The Inspector-General of Customs to His Imperial Highness the Prince of Kung and their Excellencies the Ministers of the Tsungli Yamên.

Peking, February 8, 1876.

1. The Undersigned having received the Yamên's instructions of the 6th October, calling for proposals for the better regulation of commercial intercourse, had the honour to submit his detailed reply on the 23rd January.

It will have been seen that the Commercial Proposals, first set, suggest—1st, that the staples of foreign trade, viz., cottons, woollens, metals, and sugar inwards, and tea, silk, sugar, and cotton outwards, shall pay Customs duty and inland due simultaneously at the time of shipment or discharge to the Treaty Port Customs, and be everywhere else and at all times free from every other charge in China; and 2nd, that all other kinds of merchandize (excepting opium, which is specially provided for) shall be exempted from payment of duty by the Treaty Port Customs and be liable for every local charge wherever else met with in China, no matter in whose hands.

It is reasonable to take it for granted that proposals are only made after due consideration, and are susceptible of explanation and support. If it be asked then, what the proposals just recapitulated are based on, the reply is the Treaty Port Customs Statistics of 1874, from which the following figures are now submitted. In 1874 it may be said in round numbers that—

PAID IMPORT DUTY.							
							Taels.
Cottons	..	..	..	..	..	..	720,000
Woollens	..	..	..	..	..	..	160,000
Metals	..	..	..	..	..	..	140,000
Sugar	..	..	..	..	..	..	60,000
All other Imports	..	..	..	..	..	..	650,000
PAID EXPORT DUTY.							
Tea	..	..	..	..	..	..	5,000,000
Silk	..	..	..	..	..	..	870,000
Sugar	..	..	..	..	..	..	90,000
Cotton	..	..	..	..	..	..	40,000
All other Exports	..	..	..	..	..	..	680,000

So that, during the year 1874, the eight import and export staples above-named may be regarded as having paid duty amounting to 7,080,000 taels, while all other goods (opium not included) paid 1,330,000 taels.

During the same year, of other dues and duties the Treaty Port Customs collected:—

	Taels.
Opium, Import Duty, say	2,100,000
Native Produce, Coast Trade Duty, say	570,000
Transit Dues, Inwards and Outwards, say	230,000
Tonnage Dues, say	200,000

Thus the total collection of the Treaty Port Customs for the year 1874 amounted in round numbers to 11,500,000 taels. And this collection, it is to be remembered, is a collection made in accordance with rules already in force, and not according to the proposals now under consideration.

(3.) If the proposal that has been made to tax staples at the Treaty Ports, freeing them elsewhere, and, to free other goods at the Treaty Ports, taxing them elsewhere, were acted upon, then, taking the same year's statistics as the basis of a calculation, the results to be looked for would be much as follows:—

IMPORT DUTY <i>plus</i> INLAND DUE.							Taels.
Cottons .. .. .	..	..	..	..	..	..	1,080,000
Woollens .. .. .	..	..	..	..	..	..	240,000
Metals .. .. .	..	..	..	..	..	..	210,000
Sugar .. .. .	..	..	..	..	..	..	90,000
EXPORT DUTY <i>plus</i> INLAND DUE.							
Tea .. .. .	..	..	..	..	..	..	7,500,000
Silk .. .. .	..	..	..	..	..	..	1,305,000
Sugar .. .. .	..	..	..	..	..	..	135,000
Cotton .. .. .	..	..	..	..	..	..	60,000

thus yielding in all, a revenue amounting to 10,620,000 taels.

If to this be added, as was also proposed, an import duty on opium of 120 taels per pecul, amounting, on the supposition of an importation of 70,000 peculs, to 8,400,000 taels, the sum total would be an immediate collection of over 19,000,000 taels, and a certainty of 20,000,000 a-year in a year or two.

When it is said that such a collection might confidently be relied upon, it is not a mere guess that is made, or an unfounded assertion that is hazarded; on the contrary, not only is the calculation supported by the statistics of 1874, but is shown by those of 1875, to give results that are even below the mark. And as for the question as to what is, or is not possible for the customs, there is nothing to show that the plan proposed for adoption is in any respect other than feasible.

4. If it be asked whether this increase in the Treaty Port Customs collection would make up for the decrease in collection at other points likely to result from the adoption of the scheme, a reply may be gathered from what follows. A short time ago the undersigned requested the Board of Revenue to state the annual amount of *li-kin* derived from tea, silk, and opium. The Board replied that its accounts did not admit of furnishing separate totals. But although these particulars could not be ascertained from the Board, it has been elsewhere gathered that the *li-kin* of the eighteen provinces may be computed at about 10,000,000 of taels annually. Accordingly, taking the year 1874 for example, that part of the general revenue which is made up of (1) Treaty Port Customs duties, and (2) *li-kin* throughout China, may be said to have been 22,000,000 for the year. Now this is just about the sum to which it is calculated the Treaty Port Customs duties would alone amount in a few years more, were the proposals just made adopted. As for the effect of these proposals on the national revenue then, their profitable character is so evident that it is needless to demonstrate their harmlessness.

Again, it is continually said that the *li-kin* is but a temporary measure and will sooner or later be discontinued. Supposing *li-kin* to be discontinued, the Treaty Port Customs duties would then alone remain available; but, when that day comes, if the Customs duties should be found to have already increased to such an extent as to make up for the discontinued *li-kin*, then the proposals which should achieve such a result can hardly be regarded as other than good.

5. Here, however, the undersigned has another proposal to submit. The "Peking Gazette" has of late frequently published memorials from high officials recommending the discontinuance of *li-kin*, but such memorials merely contain the request that the *li-kin* may be stopped and do not show how governmental business can be carried on

in such a way as to really enable *li-kin* to be dispensed with. This being the case, it is no wonder that other officials memorialise in reply; and, urging that such recommendations cannot be attended to, procure their rejection. Under these circumstances, the undersigned begs to point out that the proposals he has already submitted appear to be calculated to meet this difficulty; they show how the revenue given up in one direction might be more than made up for in another. If, therefore, the Yamên would make those proposals the subject of a special memorial and procure the discontinuance of *li-kin*, not only would many a foreign difficulty be avoided, but—while only a Yamên for the transaction of foreign business, yet so transacting it as to promote China's internal interests—a tax that has harassed the people, been denounced by officials, given rise to innumerable malpractices, and is only, after all, of a temporary and ephemeral character, would be removed, while a source of revenue would be substituted of an enduring and flourishing kind, a revenue which, on the one hand, would increasingly enrich the Imperial Exchequer, and on the other in no way harass or be a burden to the community.

The undersigned would therefore beg that this supplementary despatch may be read and considered in connection with the proposals already submitted.

(Signed) ROBERT HART, *Inspector-General*.

No. 3.

Sir T. Wade to the Earl of Derby.—(Received September 24.)

(Extract.)

Shanghai, July 22, 1876.

I HAVE the honour to inclose copies of the papers received from Mr. Grosvenor before he left Yünnan Fu for Burma; together with translations of the statements put in his hands as having been made, voluntarily or under cross-examination by Wu Ch'i-liang, Sub-prefect of T'êng-yüeh Chou, or Momein; of Chiang Tsung-han, Brigadier of the same jurisdiction; of Li Chên-kuo, otherwise known to us as Li Hsieh-tai; of Li Han-hsing, his nephew; and of the savages charged, as principals or accessories, with the murder of Mr. Margary.

Inclosure 1 in No. 3.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yünnan Fu, March 12, 1876.

I HAVE the honour to forward extracts of conversations which passed on the 8th instant between me and Commissioner Li Han-chang, and between me and Ts'ên Futai, on the occasion of my first visit to these two officials.

I have, &c.

(Signed) T. G. GROSVENOR.

Inclosure 2 in No. 3.

Memoranda of Conversations.

March 8, 1876.

THE Mission called upon the High Commissioner Li Han-chang; Hsüeh-huan and others were present. The following is part of the conversation:

Mr. Grosvenor, referring to a letter which he had asked Li to forward to Bamo: "What are the obstacles which you allege to exist in the way of transmitting letters by this route?"

Li.—"The Deputy sent by me to receive the articles forwarded to you via Bamo writes from Manyün that the border is infested by outlaws; outrages and reprisals have occurred. Last year a disturbance broke out in the neighbourhood, and was repressed by Ts'ên Kung-pao; some of the rebels took refuge in the border hills, which are consequently unsafe. The Deputy is unable to proceed."

Mr. Grosvenor.—"How is it that letters which I have just received can reach me from Bamo, and yet my letters cannot be forwarded to that place?"

Li.—"The country is very dangerous."

Mr. Grosvenor repeats question.

Li.—"I will ask the local authorities."

Mr. Grosvenor.—"My Government will take serious exception to such a condition of things as this—that the route is open in one direction and not in the other."

Li.—"How did your letters come?"

Mr. Grosvenor.—"They were sent through the Political Agent at Bamo by a Burmese courier. Chinese messengers, whom the Agent wished to employ, declined to carry the letters, being afraid, they said, of incurring the displeasure of the Chinese by doing so."

Li.—"This cannot be true. It would be well to read the Deputy's statement before coming to a conclusion. The transmission of letters to Bamo is Ts'ên Kung-pao's business. I am merely a guest in the province."

Mr. Grosvenor.—"I always understood that your Excellency was specially commissioned by the Emperor to transact all business connected with the purpose of the mission. Your Excellency is surely the highest official in the province."

Li.—"That is true, and if you wish to send letters by Shanghae, I can take charge of them; but if they are to be sent to Bamo, I can only desire the local officials to transmit them. What is the importance of sending letters that way?"

Mr. Grosvenor.—"The importance is this: if the Indian Government do not hear from me they will become anxious for my safety and will send to find me—an important matter in many respects."

Li.—"I will instruct the local officials to devise a plan for sending your letters through to Bamo."

* * * * *

The Deputy's report was shown to Mr. Grosvenor. It merely stated that the border country beyond Man-yün was unsafe and that he could not proceed.

Same afternoon.

A visit was paid to Ts'ên kung-pao. Among other conversation the following passed:—

Ts'ên.—"The natives of this province are very turbulent. Some years ago, at Chao-t'ung, they rose and killed a Prefect. Nothing but executions will deter them."

Mr. Grosvenor.—"Our experience, after long residence in the country and from travelling across the whole breadth of it, is that the people everywhere are harmless and inoffensive in the extreme."

Ts'ên thinks otherwise.

Mr. Grosvenor. "We everywhere find them as inoffensive as cows or sheep."

Ts'ên.—"It is true that at present the province is undisturbed; but every year, or even every month, disorders may be expected. The people are, moreover, afraid of foreigners entering their country."

Mr. Grosvenor.—"Why?"

Ts'ên.—"They fear that if foreigners obtain access they will govern the province."

Mr. Grosvenor.—"The English Government is anxious not to be burdened with more territory. India, alone, is larger than the eighteen provinces, and in all probability contains a greater population. The Government is far from coveting so poverty-stricken a province as Yünnan, in addition to the enormous region it already administers. As regards the bearing of the Chinese population towards us; they could scarcely be more civil."

Ts'ên.—"That is because you are escorted."

NOTE.—Ts'ên kung-pao, the Futai, is a thick-set man of forty-eight years, about the middle height, of very dark complexion, stolid, but easy and outspoken in manner, and evidently of a pronounced temper. He is descended at two generations from a Miaotzü family in Kwang-si. Says that in his youth he could walk, when engaged in military affairs, thirty or more miles a day. He now prefers a horse; does not smoke or drink. Has been in Kwei-chou and Su-ch'uen, and throughout Yünnan. Is apparently not much liked by the officials of the province on account of his temper. Has never seen foreigners before. Was curious to know how long it took to reach Yünnan from India.

Inclosure 3 in No. 3.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yünnan Fu, March 14, 1876.

I HAVE the honour to state that yesterday, on rising to take my leave after dining with the Imperial Commissioners Li Han-chang and Hsüeh-huan, their Excellencies informed me that, if agreeable, Ting Taotai and Chiang Taotai would call next day at my

residence and inform Messrs. Davenport and Baber of the results obtained by the investigation which the Commissioners had been instructed to make.

To this statement, mindful of your instructions, I replied that I could not entertain any conversation upon the subject of the Yünnan outrage until I had received from their Excellencies a formal declaration in writing that no person or persons, official or otherwise, accused of participation in or instigation of the murder of Mr. Margary and the attack on Colonel Browne, should be punished until reference had been made by both themselves and by me to Peking.

When Ting Taotai and Chiang Taotai arrived to-day, they brought with them a despatch from the two Commissioners, which was so loosely worded that I could not accept it. Ting Taotai immediately promised that the wording should be altered.

I received the altered despatch in the evening, and have now the honour to inclose copy and translation of it for your perusal.

I have, &c.
(Signed) T. G. GROSVENOR.

Inclosure 4 in No. 3.

The High Commissioners Li Hanchang and Hsüeh Huan to Mr. Grosvenor.

(Translation.)

March 14, 1875.

IN reply to Mr. Grosvenor's statement of yesterday, that before entering upon the question of the Yünnan outrage, it would be indispensable for the Commissioners to give a formal guarantee that no punishment should be inflicted until a decision had been arrived at in Peking, the Commissioners have the honour to remark that this stipulation is in accordance with Sir Thomas Wade's letter dated the 16th of December last. The Commissioners therefore agree that no persons, official or otherwise, found guilty, shall be punished until full reference has been made to Peking by both parties. An acknowledgment of this despatch is requested.

Inclosure 5 in No. 3.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yünnan Fu, March 21, 1876.

I HAVE the honour to forward copy in English and Chinese of the statement made by Ting Taotai and Chiang Taotai, in the presence of Messrs. Davenport and Baber, of the results obtained by the investigation which his Excellency Li Han-chang was imperially appointed to make into the murder of Mr. Margary, and the attack upon Colonel Browne.

The English version was composed by Messrs. Davenport and Baber during their two interviews with the above-named Chinese officials.

The Chinese version was, at my request, forwarded to me on the 16th of March by the two Taotais.

The Chinese and English versions will be found to agree, one point alone excepted, on all the material points.

The exception is as follows:—Ting Taotai in conversation stated distinctly that the party which attacked Colonel Browne never fired a shot, whereas, in the document he forwarded to me, he says the attacking party shouted and fired at random.

The inclosed documents are little else than a repetition of that forwarded to you by the Prince of Kung in the month of July last.

I have, &c.
(Signed) T. G. GROSVENOR.

Inclosure 6 in No. 3.

Summary by Taotais Ting and Chiang.

March 14, 1876.

TING Taotai, Chiang Taotai, and Chên wei-yuan called by appointment, and made the following statement, being a summary of what Li Han-chang had elicited regarding the circumstances of the Yünnan outrage:—

In approaching the subject of the Yünnan outrage, the officials and people of China cannot suppress a feeling of shame. That an outrage has been committed is beyond question, and the Government is far from wishing to screen the perpetrators. The Imperial anger itself was excited, and Commissioner Li and the whole body of officials were filled with anxiety to discover the origin of so unaccountable an outburst. Sir Thomas Wade himself could not have been more moved than themselves.

At the time of receiving his present appointment Commissioner Li was furnished with no information, and the hearsay statements which had reached him were conflicting; he feared, moreover, that a mere residence in the capital of Yünnan would not enlighten him much on the circumstances. He would hear and see nothing. Accordingly, on his journey to Yünnan, he instituted private inquiries all along the route, and, further, despatched a Chên-t'ai, disguised as a cloth dealer, to proceed to Ta-li, T'êng-yüeh, and Man-yün, and acquire secret information.

Five months having elapsed since the commission of the outrage, it was to be feared that the criminals would leave the neighbourhood; the Commissioner, therefore, wrote to the local officials to lull the offenders into a sense of security, so that they might be apprehended at a convenient moment.

This difficulty was, however, much simplified by the activity of Ts'ên Kung-pao, the Futai who arrested the guilty parties before the Commissioner's arrival. Wu-li-ssu, Tung chih of T'eng yüeh, and Chiang, Tsungping of the same place, were degraded in accordance with the Commissioner's Memorial, and have been examined.

The murderers of Mr. Margary have also been captured and examined. These turn out to be the wild hill men, robbers by profession, who inhabit the Yeh-jen-shan (hills of the wild men), and include certain renegade Chinese, who have fled from justice and joined the savages.

Now, who was the originator of the opposition to Colonel Browne's party? It is clear there must have been a master-mind (prime mover) somewhere. On this point several of the local gentry in command of the T'êng-yüeh train-bands were questioned, not, indeed, judicially as criminals, but privately lectured and examined.

Strangely enough we discovered that the originator of the whole affair was the person mentioned in Sir Thomas Wade's despatch, namely, Li Chên-kuo. We had previously heard that Li Chên-kuo was suspected, but were unwilling to believe that a person of his condition could be implicated.

Further inquiry left no doubt as to his culpability. That he refuses to confess is not surprising; nor, in view of the gravity of his crime, can we proceed to torture, as he might afterwards retract, and assert that an admission was wrung from him by pain.

On or about the 15th December last the disguised Chên-tai returned from T'êng-yüeh and reported that his private inquiries agreed with the universal voice in accusing this man. He was therefore denounced by the Commissioner and stripped of his rank (expectant Fu-Chiang). Such is his obstinacy that three months' examination has only elicited from him three words, "I know nothing" ("wo pu chih tao"), doubtless in the hope that if he does not confess he cannot be punished. Nevertheless, he cannot escape justice; the evidence against him is overwhelming, the proofs a certainty.

In December of the year 1874 Margary entered Yünnan provided with a passport sealed by the Tsung-li Yamên, which had enabled him to pass without hindrance through the empire. His object was to meet Colonel Browne and return together to China, which, as they carried the passports of the Tsung-li Yamên, they had every right to do. The officials, seeing their passports, knew very well that they should be allowed to proceed; but the people of the locality never having seen foreigners were apprehensive of the consequences, and became alarmed.

During the troubles of the last eighteen years the people of T'êng-yüeh form a numerous body, whose incorporation dates from the Ming dynasty. When the city was recaptured, numbers of the Mahomedan rebels escaped to the Yeh-jên Shan, and, though broken and reduced, they still cherish schemes of revenge.

Hearing that Margary had gone to meet Colonel Browne they thought it a good opportunity to sally forth (*lit.* "to enter the pass," Kuan). The gentry of T'êng-yüeh, in alarm at the prospect of losing the results of their eighteen years' struggle by the simultaneous entrance of the refugees with the foreigners, wrote to Li Chên-kuo (an able man, but a villain), both at Manyün and Mêngmao, requesting him to arrange with the foreigners not to allow the rebels to accompany them. He thereupon traversed the whole region of Yeh-jên Shan, exacting supplies and recruiting his band, and afterwards demanding money of the T'êng-yüeh gentry. His intention was to stop both Colonel Browne and the rebels, but he never expected that Margary would come on in front.

Margary reached Man-yün. He left the day before Li's men went to stop Colonel

Browne, and passing by them, unhappily fell in with the robbers. These are robbers by profession, and are not to be confounded with the body which hindered Colonel Browne with the sole intention of stopping him, not of hurting or plundering him.

It was after crossing the Hu-sung river, fifteen *li* from Man-yün, that Margary encountered the robbers, who, in accordance with their usual practice demanded black mail. They are a mixture of wild men, Chinese renegades, and Chinese kidnapped when young, but include no Mohammedans among them. Margary refused their demand, and shot one of them thinking to disperse them, whereupon they surrounded him; he dismounted to engage them and was murdered, with four men who accompanied him. Margary was killed with their swords; they had no fire-arms. Another Chinese who was with Margary had remained at the temple (Mien Fo-ssu) whence Margary had just set out, to attend to the baggage; immediately after the massacre the robbers hurried to the temple to plunder, but the man escaped.

Margary had preceded Colonel Browne (or was ahead of Colonel Browne) by a day's journey, although the Colonel had heard that the road was unsafe. Colonel Browne afterwards despatched Li, his linguist, and Shih Yü-t'ien to go forward and inquire about the security of the road and look for Margary. On advancing a few *li* they met (not "overtook") several people with Margary's pony. These were the robbers, or a party of them, and the two men recognizing the pony, fled in different directions (did not run in the opposite direction). Shih Yü-tien who was employed by A-yeh-pan (Mr. Clement Allen), not by Margary, appears to have made good his escape; not so Li the linguist; he was seized by the robbers, bound, and taken to a cave. His captors then went off to plunder, and Li got away, but was again caught and bound by the ancles as before for some ten days, when he was informed that they did not propose to feed him for nothing. On this he performed menial offices for them, and in ten days or more managed to escape to T'êng-yueh. This man is a nephew of Li Ch'ên-kuo (not a brother's or sister's son, but a distant kinsman); in his youth, when the Mohammedan rebellion broke out, he went to Bamo and engaged in a small business. He is acquainted with the Resident and the British merchants at that place. Li Chên-kuo wrote to his kinsman the year before last desiring him to return, as his mother was anxious to see him. (Note.—This is Ting Taotai's statement; Chiang Taotai denies it). The man therefore took the opportunity of accompanying Colonel Browne to Yünnan, bringing a little merchandize on seven or more baggage animals in company with those of the party. He also had with him 500 taels, but does not know what became of goods or money.

On receiving the Imperial command and hearing from Commissioner Li, Ts'ên Kung-pao, despatched a force which captured twelve of the robbers and killed or wounded six. The soldiers also suffered some loss. They succeeded in recovering two ponies and a quantity of Margary's baggage; among other articles a gun in a case which has not yet been opened.

To sum up: The criminals have been captured; the instigator Li Chên-kuo is in custody, and great part of the plunder has been recovered; the linguist Li is also in the hands of the officials. Although Li Chên-kuo refuses to confess, the evidence against him is convincing, and if that were not enough other proofs exist which put his guilt beyond doubt. This statement is the result of protracted and unflagging inquiry on the part of Commissioner Li and his associates. Two points (quoting a despatch of Sir Thomas Wade's) are all-important: 1st, that the prisoners brought to trial should be the real offenders, and 2nd, that the evidence produced should be trustworthy—and this is the principle which the Commissioner has pursued in the investigation. Pending Mr. Grosvenor's arrival, no report has been made to the Chinese Government.

Some general conversation ensued between the native officials and Messrs. Davenport and Baber.

Ting Taotai repeated that instructions on matters of detail respecting the Yünnan outrage had not reached the Commissioner at the time of Mr. Grosvenor's interview with him at Hankow; he consequently knew little or nothing about the affair.

"But how is it that the Commissioner was also ignorant of the meaning and nature of a passport when that document was exhibited to him by Mr. Grosvenor?"

Ting Taotai replied:—

"It is the duty of the lower officials to inspect passports. A high official like the Commissioner cannot be expected to know anything about them."

March 15th.—The same officials called this afternoon by appointment, and being asked to give some more detailed account of the "stopping" of Colonel Browne, supplemented yesterday's statement as follows:—

"Colonel Browne was at Nan-p'êng-ho (or Nan-p'ing-ho), two days behind. Margary was killed on the 21st February, and on the 22nd, about midday, when at the foot of

the Pan-hsi hills, Colonel Browne was met by a band composed of wild men, Mahomedan outlaws, a remnant of a band once commanded by a son of Li Kuo-lun, and Shan people, all sent by Li Ch'ên-kuo.

"There were also with them a number of Li Ch'ên-kuo's personal retainers, as well as some of the robbers who killed Margary.

"Li Ch'ên-kuo was not concerned in the murder of Margary, nor did he instigate it; his sole object was to stop Colonel Browne and Margary together; the latter, however, had gone on and met his fate at the hands of the robbers.

"Nor was Li Ch'ên-kuo present at the "stopping" ("lan-tsu") of Colonel Browne, for ^{Mr.}E Yu-ko (Mr. Elias) saw him at Mêngmao on the 18th February.

"The number of the band was probably about 2,000, armed with a few gingalls, swords, &c. They did not fire a single shot. Colonel Browne, seeing he was beset, opened fire, and wounded a few of them, and paid the head man of his coolies to go round and fire the jungle. Li Ch'ên-kuo's band, seeing the jungle fired, and fearing they had to engage a large body of troops, then dispersed, and Colonel Browne returned to Burmah.

"Margary had gone on as far as Man-yün, where he stopped one day, but finding the situation dangerous, had returned to Mien-fo-ssu.

"We consider the above a thoroughly trustworthy account of the affair."

Inclosure 7 in No. 3.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yünnan Fu, March 21, 1876.

I HAVE the honour to report that as soon as I had read the statement of Ting Taotai and Chiang Taotai, and had been given a copy of the written evidence on which this statement was made, I signified to the two Imperial Commissioners my willingness to allow Messrs. Davenport and Baber to be present at the trial of the prisoners.

The Chinese authorities were, however not ready to proceed with the trial until the 20th instant (yesterday).

I beg to inclose a full report of what took place at the trial, drawn up by Messrs. Davenport and Baber.

I thought beforehand it was not improbable that the Chinese authorities might try and place my representatives in some undignified position at the trial. I, therefore, gave Mr. Davenport instructions not to take a seat in any position of the Court which he did not consider fitting.

The inclosed statement will show that my suspicions were not groundless, and I venture to hope that the action taken under my instructions will meet with your approval.

I have the honour to inclose copy of the Chinese text of the evidence produced by previous examinations. Time will not allow of my having a translation made.

This evidence has been carefully read over to me by Mr. Baber, and contains nothing but a wearisome repetition of lying asseverations, together with flat contradictions (entirely unsupported) of the evidence obtained by Colonel Browne after the attack, and subsequently at Bhamo.

In a word, the whole story, as at present set forth by the Chinese, is but a repetition of the one you rejected so summarily in the month of July, 1875.

Not a single witness, in the English sense of the word, has been produced, and not a soul concerned in the attack on Colonel Browne (if I except the eleven savages at present in custody), although Ting Taotai admits the attacking party to have been nearly 2,000 strong.

Such a burlesque of a trial, notwithstanding your urgent and repeated warnings on this subject from March to October, 1875, and notwithstanding the messages sent by you to the Earl of Derby for transmission to the Chinese Government, leads me to the conviction either that it does not believe Great Britain to be in earnest, or else that it does not fear her power to enforce her demands.

I have, &c.
(Signed) T. G. GROSVENOR.

Inclosure 8 in No. 3.

Minutes of Trial, held in Nieh-t'ai's Yamén, at Yünnan Fu, March 20, 1876.

Present :

Chinese—

Ting Taotai,
Chiang Taotai,
Ch'ên Wei-yuan,
P'an Fan-tai,
Ts'ang Nieh-tai,
Hsùng Chih-fu.

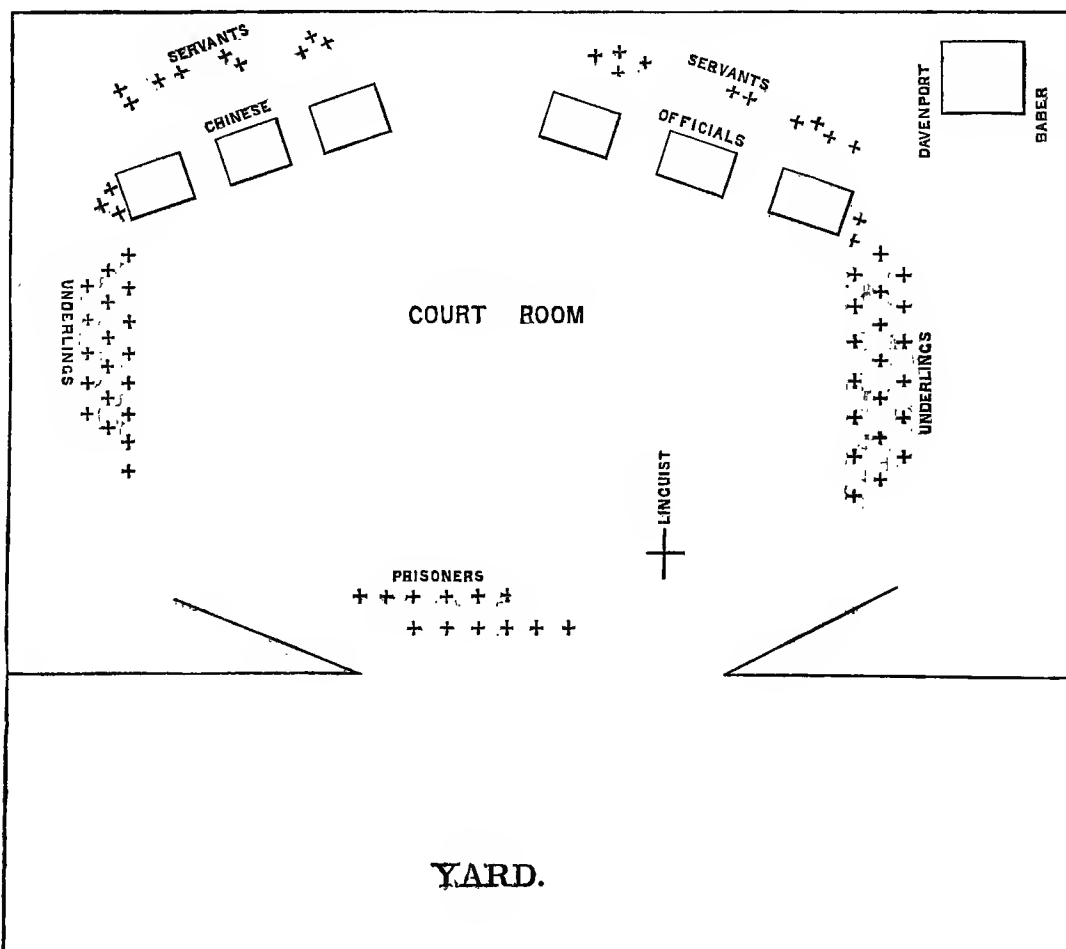
English—

Messrs. Davenport and Baber.

AFTER some preliminary conversation in a side apartment, Messrs. Davenport and Baber were ushered into the room in which the examination was to be conducted.

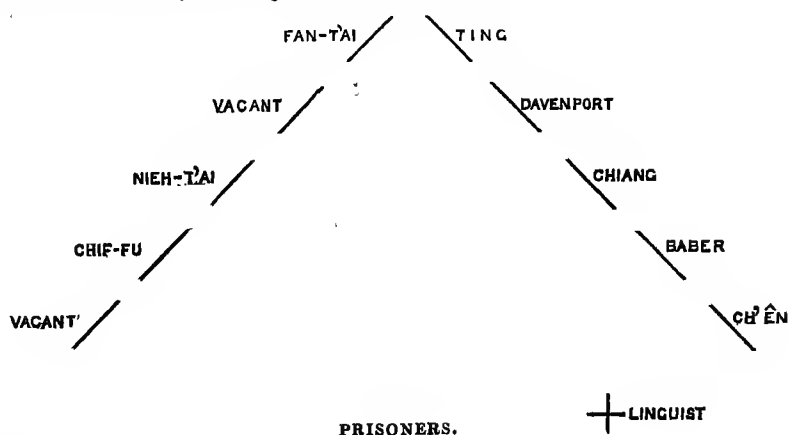
The table provided for the English officials was placed in the rear of the presiding Mandarins, and behind the crowd of runners and underlings, who hemmed in the seats which represented the Bench. Messrs. Davenport and Baber would have heard little and seen nothing of the prisoners.

Plan of proposed Arrangement of Seats.



Acting under Mr. Grosvenor's instructions, Messrs. Davenport and Baber declined to occupy any position which should appear in the least degree undignified, or should interfere with the fullest and most perfect apprehension of the proceedings. They quoted international usage on the subject, to which Ting Taot'ai, the officer appointed to conduct the trial—sometime a secretary of the Tsung-li Yamén, objected that his Government had never admitted that they were bound by international law. They only admitted the force of Treaty stipulations.

On this Messrs. Davenport and Baber declined to discuss the subject, and the Chinese ultimately made the following arrangement :—



which was accepted.

The wild men were then called :—Erh T'ung-wa,* La-tu, Erh La-kan, Erh-kan, and Lu Lan-tang.

Erh T'ung-wa and La-tu (according to the linguist) killed Margary and four men (La-tu showing with his fingers). They were twenty odd in all. Did not cut off their heads. Took two horses, with clothes, &c., and divided the spoil between the two caves. Did not kill the man who was looking after the baggage.

La-tu afterwards went with Mohammedans and certain Chinese to Nan-p'êng. Ehr T'ung-wa did not go.

When they reached the river the foreigners fired and killed † one of them, A-yung, and two Chinese, names unknown. The foreigners fired for about half a day. Prisoners ran away. One cave contains forty or fifty men.

They threw the bodies of Margary and the others into the river, as it was convenient. Had on the same sort of clothes as the Chinese wear at the time of the murder.‡

Erh La-kan is a Yünnan cave man ;§ so is Ehr-kan. Both were concerned.||

Lu Lan-tang did not go to N'an-p'êng. The previous two went.

Called :—Erh-kōn, Erh-la, Erh Kang-kan, Erh P'ai-la, Erh Yang-shuang, and Shih-nai.

Erh-kōn is a Yun-gen man ; he plundered, but did not kill any one.¶

Erh-la is one of La-tu's men. Killed a Chinaman. Killed him because Margary fired.

Erh Kang-kan says nothing at all. Linguist says Erh Kang-kan killed one man.

Erh P'ai-la assisted his friends in the murder.

Erh Yang-Shuang also killed a Chinaman, or assisted.

Shi-nai was present, but killed no one.** Erh-kōn was not wounded.

Called :—Chiang and Wu Chi-liang.

Wu sent presents to Margary on his reaching T'êng-yüeh, and received from him a letter of thanks, which is extant. Margary said he should return, but gave no date, nor was any despatch or letter written on the matter afterwards. They sent no soldiers to stop Colonel Browne. No soldiers were sent at all. The soldiers never left their stations ; and no soldiers went secretly to stop foreigners. No one named Hua, Shun, or Sung gave any message from them to the Burmese Cotton Agent ; nor did any other person. T'êng-yüeh is 500 li from Man-yün, according to the usual local reckoning. The train bands are often called out to repress inroads of rebels ; rumours were abroad that foreign soldiers were coming, and it was feared that outlaws and others would enter with them ; they assembled for their own protection. Li Chên-kuo did not tell them he intended to stop the foreigners. He was at Mêng-mao. Margary was killed by savages. Chinese always pay black-mail, otherwise they are in danger of being robbed.

* Erh T'ung-wa has a very shrill voice when excited.

† The linguist says "A-yung" was killed. The men do not seem to say the same. On my asking to have the question repeated, they still do not mention the name.—E. C. B.

‡ Their head-dress is different from the Chinese, their hair being tied up on the crown.

§ According to linguist The man himself says "N'ting."

|| Ting here says, "It is hardly worth while taking down all the old evidence from these men."

¶ Erh-kōn himself says, "Kung-pick."

** Being asked, "Which is the man that Margary wounded?" Chiang Taotai replies, "Erh-kōn." The linguist says the wounded man is not present. Erh-kōn himself stoutly denies that he was wounded.

They discovered the details of the murder after capturing the savages. They first heard of the affair at the end of the 1st moon. Margary would not give black-mail, and was killed. They had not sufficient force to arrest the culprits at first, but on receiving the Fut'ai's orders a force of 1,000 men was sent. Li Ch'ên-kuo was at Mêng-mao about the matter of Ma-erh, a Mahommedan. Never heard of the outrage being instigated by any one of the name of Yang. Never heard of anybody that instigated it. Chiang took 1,500 men to seize the offenders, and captured fourteen men and fifty odd packages; two died subsequently, and one died in the capital. Forty or more savages were killed or wounded. The soldiers suffered a loss of fifty men and three officers.

Called Li Han-hsing:

Is also named Mêng Yü; is not called Shu-chün. Is thirty-seven years of age; has a mother, aged seventy, and a younger brother. Has been in Burma fifteen years in Pieh-miu. Wanted to come back and see his mother. Had 3,000 taels' worth of property, foreign goods, &c., including 500 taels in money. Met P'o (Colonel Browne?) and a doctor at Pieh-miu, with another foreign official. They had with them fifteen Mohammedan soldiers and a Burmese escort. Does not remember on what date they reached Bamo. They all arrived at Kung-tung intending to go to Yung-chang, with over a hundred baggage animals in charge of the wild men. A difficulty occurred with these people about breaking open the packages. A foreign official, with a white beard, overtook them at Kung-tung, having come round from Shanghae. The party all returned to Bamo, and started again by the Nan-mo road. They paid half the carrier's wages at Nan-mo, promising the other half an Man-yün. In three or four days they reached Nan-p'êng, where they heard through the Burmese that the road was stopped by savages. Margary said he had been well treated on his way through, and went on to try the road. Was sent with Margary, and reached Hsüeh-li. Does not know the Burmese or wild men's names for Hsüeh-li. Margary asked if Li-ssu Ta-jên was at Man-yün. "No, he is at Mêng-mao," was the reply. Margary then asked the native Chief to escort him. The Chief said the savages were out, and did not dare to go. "If you won't go I'll go by myself," said Margary, and went on telling deponent to wait for orders which he would send from Man-yün. On the morrow no letter came from Margary, but Colonel Browne and the rest came up to Hsüeh-li, without their baggage however. They sent deponent back for the baggage; deponent met a Burmese, who said the savages would not bring it on; does not know why Colonel Browne's party, therefore, returned to Nan-p'êng, leaving deponent with Shih Yü-t'ien at Hsüeh-li to await news from Margary. They stopped a day, and then determined to follow Margary. On the morrow, about 10 A.M., they set out and went on about 8 li, where they met about twenty or thirty men with Margary's pony. They were afraid and ran away. Does not know if Shih Yü-t'ien was caught. They seized deponent and demanded money. He said he had none; so they beat him until he fainted, and then left him in the cave bound, with three men to watch him; these men got drunk, and he fled in the night. After wandering about for two days he was again captured by a different band and kept for twenty or more days as their slave. One day they went out to hunt and he once more escaped, and in six or seven days reached T'êng-yüeh.

The people who captured him were savages and Chinese kidnapped by them. He does not know what became of Shih Yü-t'ien. Fell ill at T'êng-yüeh for five or six months. Never heard who stopped Colonel Browne. Saw no soldiers among the people who were leading Margary's pony. Li Ch'ên-kuo came to T'êng-yüeh afterwards, but he does not know when. Did not see him until arriving at Yünnan Fu. Prays that something may be done to recover his property.

Called Li Chên-kuo, otherwise Li-ssu Ta-jen:—

Went to Mêngmao on 23rd November, 1874. At Man-yün saw Margary, who presented his passport. Margary stayed three days. Deponent gave him a present of provisions, and sent two men to escort him. After Margary left, deponent went to Mêng-mao. Margary said he was going to meet foreign officials, but did not say when he was coming back. He said, however, that a despatch would be read notifying their coming.

Elias, with another foreigner, came to Mêngmao on the 19th February, and deponent saw him next day. Elias wanted an escort back to Burma. Deponent provided animals to take him to the boats. Elias sent him a gun, which his servant accepted for him in his absence. Deponent returned it, but Elias sent it again, as a token of friendship, and deponent accepted it, giving the messenger, a Canton man, a card in acknowledgment. Never told Elias that he (deponent) had 300 soldiers with him.

At Mêngmao deponent received a letter from the train-band officers, who had assembled the train-bands, asking him to return to T'êng-yüeh. He reported this to Ts'ên Kung-pao, but did not reply to the officers.

Mêngmao is 600 odd li from Man-yün.

Deponent denies having had anything to do with the affair of Colonel Browne. Has no nephew named Shu-chün.

Question by Ting Taotai (suggested): "When you went to Ava why did you not call on the British Resident?"

Answer: "I was only three days in that city, so I had no time. I paid no calls to any official, Burmese or otherwise."

Remarks.

It was evident that the wild people did not realize their situation, and understood the linguist with difficulty. Ting Taotai, the President of the Court, conducted the examination chiefly by means of questions; the linguist would then say a few words to the prisoners, which they scarcely seemed to understand, or, at any rate, did not answer with more than some half-dozen words, and then give a long reply to the President's question in the tenor of the written depositions.

Mr. Davenport, by way of introducing a subject to which no allusion had been made in the depositions, suggested that they should be asked what clothes they wore at the time of the attack on Mr. Margary. After frequent repetition of the interrogation by Ting, Chiang, and two underlings, to the linguist, who had with great facility apprehended all the set questions, he replied, with little or no response from the prisoners, that they wore Chinese clothes. The linguist, as it appeared to Messrs. Davenport and Baber, suggested replies to the prisoners, or asked leading questions, which they generally acknowledged with little more than a careless growl. Their demeanour was anything but that of criminals who had confessed a capital offence. Seated on their haunches on the floor of the Court, they gazed on the assemblage with an air of complacent and comfortable satisfaction at the whole proceedings. It is true they were fettered, and that heavily; but hostages from the border tribes are generally fettered, as was seen at P'ing-shan.

When the linguist was asked (by suggestion) to indicate the man wounded by Margary's shot, who, according to the depositions, was Erh-kon, he first replied that the man was not present. Ching Taotai then suggested that it was Erh-kon, whose re-examination, by the way, has it that the wound was inflicted with a sword; but on the question being put repeatedly to Erh-kon, the savage denied having been wounded at all with so convincing an air of disdain that the linguist had no alternative but to reply to the same effect. Mr. Baber objected five or six times that the names of the caves were never enunciated by the prisoners, nor did they, even when the matter was explained to them, make any utterance which remotely resembled the sounds "Wa-chiao," or "Yun-yen."

It was remarked that when Chiang and Wu, the reduced officials, withdrew at the termination of their interrogation, the Court rose to salute them.

The question about the visit to Ava was suggested with the object of establishing the identity of Li Ch'ên-kuo.*

It was, of course, not competent for Messrs. Davenport and Baber to examine the prisoners; indeed, they ventured somewhat beyond their province in suggesting questions to the President.

(Signed)

A. DAVENPORT.

E. COLBORNE BABER.

Inclosure 9 in No. 3.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yünnan Fu, March 23, 1876.

AS soon as ever the Chinese version of the Yünnan outrage was in my hands, I drew up a statement in parallel columns, which I have the honour to inclose, showing the discrepancies between their story and ours.

On the 21st of March I sent to the Imperial Commissioners to announce a visit on public business, and on the 22nd, in the afternoon, I waited upon them, in order to carry out that portion of the instructions you did me the honour to address to me, which desire me to explain to the Imperial Commissioners the discrepancies existing between the English and Chinese versions of the circumstances connected with the Yünnan outrage.

It was only by constant and careful repetition that I managed to make the Imperial Commissioner Li Han-chang understand the object of my visit. The Ex-Vice-President,

* Li Chên-kuo is an old-looking man, though his age is only 43. Has a very long prominent upper lip; pig-tail thin; low stature.

Hsuëh-hwan, of course did not understand. He is very deaf, and apparently approaching his dotage. Notwithstanding this difficulty at the outset, I went carefully through all the points contained in the above-mentioned statement, and when I got to the end, formally declared to the Imperial Commissioners that my participation in the affair was over.

In conversation, I added that I must express my thanks for the very civil treatment I had received both at the provincial capital and all through that part of the province of Yünnan which I had hitherto visited; and that I thought it but a fair return for their kindness to give them my opinion upon the case which had brought us together.

I then said, "Let me warn you solemnly that Her Majesty's Government will never accept such a statement as that which you now put forward as the truth."

I might have spared myself the trouble, for my words were completely thrown away upon the Imperial Commissioners.

I have the honour to inclose a Memorandum of this interview taken from notes made by Mr. Davenport at the time.

I have, &c.
(Signed) T. G. GROSVENOR.

Inclosure 10 in No. 3.

Comparative Statement of English and Chinese Version of the Yünnan Outrage.—Murder of Mr. Margary.

English Case.

1. A Burmese belonging to the King's cotton agent at Man-yün, deposed on the 1st of March, at Bamo, that Mr. Margary was killed, not by local savages or Chinese, but by order of the Chinese officials who had come down from Momein. These officials are called by the deponent, Lyo Tsheng Tsheng, and Shoon Tsheng Tsheng, and deponent concludes by stating that he has heard that the heads of Mr. Margary and the Chinamen who were killed, were taken up to Mom-yeng after being exposed in the town of Man-yün.

2. A Burmese scout who was sent with Mr. Margary to Man-yün states, on the 25th February, 1875:—

I was sent from the fifth guard-house to see what was going on in Man-yün. We arrived on the 19th of February, at the Tsarai Tsawbwa's house. We slept there, and the next day we went to Man-yün. On the 21st of February, the Chinese officers killed Mr. Margary, and five Chinese.

A Burmese* belonging to the King's cotton agency, states:—

On the 21st of February I saw Mr. Margary in Man-yün, I saw him several times. He was going about the town, sometimes accompanied by Chinese, and sometimes alone. Two officials, Lyo Tsheng Tsheng and Shoon Tsheng Tsheng, came down from Man-yün. On the evening of the 21st February I heard that Mr. Margary and his men had all been killed. Mr. Margary was said to have been asked to go and see some hot springs, and when he got on his pony they knocked him off and killed him. His men were killed in the Kyoung, in which they were staying. This was done not by any

Chinese Case, as stated by Ting Taotai.

1. The murderers of Mr. Margary turn out to be wild hill-men, robbers by profession, who inhabit the Yeh-jen Shan, and include certain renegade Chinese, who have fled from justice, and have joined the savages.

2. Li Chên-kuo never expected that Margary would come on in front.

Margary reached Man-yün. He left the day before Li's men went to stop Colonel Browne, and passing by them unhappily fell in with the robbers. These are robbers by profession, and are not to be confounded with the body which hindered Colonel Browne with the sole intention of stopping him, not of hurting or plundering him.

It was after crossing the Hu-sung River, 15 li from Man-yün, that Margary encountered the robbers, who, in accordance with their usual practice, demanded blackmail. They are a mixture of wild men, Chinese renegades, and Chinese captured when young, but include no Mohammedans amongst them. Margary refused their demand and shot one of them, thinking to disperse them, whereupon they surrounded him: he dismounted to engage them, and was murdered, with four men who accompanied him. Margary was killed with their swords; they had no fire-arms. Another Chinese who was with Margary had re-

* The same Burmese previously alluded to in paragraph 1.

English Case.

local Shans or Chinese, but by order of the men from Momyeng.

A letter from Burmese officials (Customs officer, seller of the Royal cotton, and others), states:—

On the 20th of February, 1875, the Englishman Margary arrived at Man-yün, and on the 21st of February, 1875, the Chinese killed him, as also three Canton Chinamen, and two others, altogether six of them.

Colonel Browne on rising on the morning of the 22nd of February found a continuous line of armed Chinese defiling along a ridge on his right towards the rear of his camping ground, where, on a hill covered with jungle, a strong force had established itself. It soon became apparent that except on the steep to his left, by which it was impossible to attack him, he had enemies on all sides, and while in doubt as to what could have provoked their hostile action, the Chief whom Colonel Browne had left at Tsurai on the previous day, came up the steep on his left with the news that Mr. Margary and all the Chinese with him had been murdered the previous evening at Man-yün, that a force of 4,000 men had been assembled by Chinese officials at Momein to annihilate the mission, and that the men then approaching were but part of an advance guard of 800 men. He had endeavoured, he said, to reach the mission earlier to give the alarm, but had been detained and deprived of his pony. He had, however, escaped, and had come on on foot. While he was speaking, the Chinese, creeping up through the jungle in the rear, began to fire on the mission, and the Chief disappeared.

Some of the bolder Chinese advanced through a gap in the hills in rear of the position, into the open ground waving guns and trident spears. They shouted out in Chinese that they were commanded by Shouk-goon, the nephew of the great Li, and called on the Burmese escort to retire and leave the "Kalas" to their fate.

The Sikh guard opening fire upon these Chinese soon drove them back with some loss. The Burmese also kept up a fire, but they were badly armed and did no execution. It is noteworthy that the Chinese throughout never fired at the Burmese, and that even when retreating before the fire of the Sikhs, they continued as before to shout their advice to the Burmese to keep away from the foreigners.

After their first repulse by the Sikhs, the Chinese did not venture out of the jungle, where they continued firing at long range until the afternoon. Colonel Browne suc-

Chinese Case, as stated by Ting Taotai.

mained at the temple (Mien Fo Ssü), whence Margary had just set out, to attend to the baggage; immediately after the massacre the robbers hurried to the temple, but the man escaped.

Now who was the originator of the opposition to Colonel Browne's party? On this point several of the local gentry in command of the T'eng-yüeh train bands were questioned, not indeed judicially as criminals, but privately lectured and examined.

Strangely enough we discovered that the originator of the whole affair was the person mentioned in Sir T. Wade's despatch, namely, Li Chên-kuo.

We had previously heard that Li Chên-kuo was suspected, but were unwilling to believe that a person of his condition could be implicated. Further inquiry left no doubt as to his culpability. That he refuses to confess is not surprising; nor in view of the gravity of his crime can we proceed to torture, as he might afterwards retract, and assert that an admission was wrung from him by pain.

Such is his obstinacy that three months' examination has only elicited from him three words: "I know nothing" ("pu chih tao"), doubtless in the hope that if he does not confess he cannot be punished. Nevertheless he cannot escape justice; the evidence against him is overwhelming—the proofs a certainty.

Colonel Browne on the 22nd of February, about mid-day, when at the foot of the Panshi hills, was met by a band composed of wild men, Mahomedan outlaws—a remnant of a band once commanded by a son of Li Kwo-lun, and Shan people, all sent by Li Chên-kuo. There were also with them a number of Li Chên-kuo's personal retainers, as well as some of the robbers who had killed Margary. Li Chên-kuo's sole object was to stop Colonel Browne and Margary together. Li Chên-kuo was not concerned in Margary's murder. Li Chên-kuo was not present at the stopping ("lan tsu") of Colonel Browne; for Nge-yu-ko (Elias) saw him at Mêng-mao on the 18th of February. The band did not fire a single shot. Colonel Browne seeing that he was beset, opened fire and wounded a few of them, and paid the head-man of his coolies to go round and fire the jungle. Li Chên-kuo's band got frightened and disappeared; Colonel Browne returned to Burma.

Great stress is laid on the evidence (?) adduced in support of the above statement on the fact that officials and people at Têng Yüeh-ting were unaware that foreigners were coming. Wu-chi-liang, in his evi-

English Case.

ceeded in getting the jungle set on fire by some friendly savages whom he bribed, and the Chinese in rear of the position rushed back to gain the ridge along which they had originally come down.

The Chinese had left some dead on the field, and the head of one of the latter was cut off by a hill-man, who brought it to Colonel Browne, observing that he might thereby be satisfied that his assailants had been Chinese, and not men of the hill tribes.

Letter from Burmese officials at Manyün (Customs officer, seller of the Royal cotton, and others) to the Bhamo Tsoare-taw-gyee (intercepted by Colonel Browne):—

“The officials sent by the Won of Mon-yeng—viz., Bhwa Tsheng Tsheng, Shoon Tsheng Tsheng, and Tyo Tsheng Tsheng, have told us to write to you urgently, to say that, on the 23rd of February, 1875, you must not remain with the English Koolas, whom you are escorting; you must either leave them and return, or you must stay in some place a mile or two miles from them. If you do not do so, and if, in consequence thereof, any of your men are wounded and killed, you must not blame the Chinese. As they have told us, so we write. The attack will be made at night on the 23rd of February, 1875. Above 3,000 and about 4,000 men are collecting and surrounding you. We think it will be wise for you to retreat.”

Statement of a Burmese scout who was sent with Mr. Margary to Manyün:—

“The Chinese officers said to Gua Hpo-moung and Gua Oon, ‘you must send some one to tell the Burmans to separate from the Koolas,’ and Gua Hpo-moung and Gua Oon accordingly gave me and Gua Lwon a letter to give to the Tsare-daw-gyee. We left Manyün on the 23rd of February. At Tsarai we met Yoon-tsun-lweng, and Toon Tseng Tseng, and the latter asked me if I would tell the Burmans to separate from the Koolas. I said I would. Some Kakh-yengs of Tsarai and the Chinamen wanted to kill me, because they said I had come from Manyün, but Toon Tsheng Tsheng ordered me to go at once and tell the Burmans to separate from the Koolas, so I ran away.

“On the road I met the Chinese officer Shouk Goon, who said he was coming back from the fight between the Kakh-yengs and Chinese and the English. I ran away, and came up with the Burmese forces at Tsalee.”

Statement of a Burman lately resident at Manyün, dated Bhamo, March 1st, 1875:—

On the 16th of February, I think it was,

Chinese Case, as stated by Ting Taotai.

dence, however says that, on December 21st, 1874, he was instructed that three British Envoys were coming through Burma from India to Yünnan. How, then, could he be aware of their arrival? In addition to which, Sir T. Wade's despatch to the Prince of Kung, of the 20th of August, 1875, distinctly states, on the authority of the letter received from the late Mr. Margary, that Chên Futai excused himself from seeing Mr. Margary on his way through to Burma, but said that he should be happy to see him when he came back.

*English Case.**Chinese Case, as stated by Ting Taotai.*

that I first heard rumours of Chinamen being collected to go on the hills. Two officials Syo Tsheng Tsheng and Shoon Tsheng Tsheng, came down from Monyeng. It was said that they had a force of between 3,000 and 4,000 men. These men were not allowed inside the town, but we heard the noise made by them outside the town at night.

* * * * *

We Burmans were concealed by people of the place. On the 23rd of February, one of the Chinese officers said, "These Burmans have joined the English, and have cut off the head of one of our officers. Many Chinamen and Kakhyengs have been killed by them, and they danced in front of the English when they opposed us. They ought to be killed."

Inclosure 11 in No. 3.

Memorandum of an Interview between Mr. Grosvenor and the Commissioners Li and Hsüeh, and their Associates Ting Taotai, Ching Taotai, and Ch'én Weiyuan.

TING TAOTAI, in reply to an observation from Mr. Grosvenor, said that the only matter still undone was the ceremony of "kuo-t'ang," at which Mr. Grosvenor might wish to be present, although it was a mere form. "Kuo-t'ang" was the production of the prisoners before the Commissioners Li and Hsüeh, when they would again confess their guilt and subscribe their confessions. Mr. Grosvenor replied that his instructions related to the trial, which being now terminated he had nothing further to do with the matter.

Mr. Grosvenor said that in accordance with his instructions it was his duty to point out serious discrepancies between the English and Chinese versions of the circumstances attending the Yünnan outrage. In the first place, according to the English case, Margary was killed not by wild men but by Chinese officials. Ting Taotai replied at great length, arguing that the Commissioners had carefully inquired into that statement, and found that there was no proof whatever; it was merely hearsay evidence. Mr. Grosvenor then called attention to the Burmese evidence, pointing out that the officials who murdered Mr. Margary had come expressly down from Momein. Ting Taotai replied that translations of a like tenor had been sent by the Tsungli Yamén, but on investigation they had elicited that nothing of the kind had ever happened.

Mr. Grosvenor pointed out that according to this evidence a murderous attack had been made upon Colonel Browne, whereas in the Chinese version it is merely alluded to as a case of stopping him. Ting Taotai replied to the effect that Li Chên-kuo was the originator, and that as he would not confess there was nothing further to be learnt in the matter.

Mr. Grosvenor observed that according to his version the heads of Mr. Margary and his followers were exposed on the walls of Momein. Ting Taotai replied that they had inquired into the matter and found that the statement was not true.

Mr. Grosvenor continued to go steadily through the discrepancies, and Ting Taotai's replies were invariably to the effect that all these allegations had been carefully investigated and been found to be baseless.

Mr. Grosvenor then remarked that in the Chinese version great stress had been laid on the fact that no one knew that the English officials were coming. Ting Taotai replied that the local authorities knew that Margary had passed through for the purpose of meeting officials, and they informed the leaders of the train bands. The only people who did not know were the wild men.

In conclusion, Mr. Grosvenor pointed out, that of the 2,000 men admitted by the Chinese to have been present at the attack on Colonel Browne, none had been arrested,

and that neither in that case nor in the case of the murder of Mr. Margary, had a single witness been produced, and that it therefore became his solemn duty to warn them seriously that such statements as those now advanced would never be accepted by Her Majesty's Government. He said this because, having been treated with so much courtesy both in the city and on the journey, he felt bound to make this explanation in a friendly way.

March 22, 1876.

Inclosure 12 in No. 3.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yunnan Fu, March 23, 1876.

AT the close of yesterday's interview with the Imperial Commissioners, his Excellency Li Han-chang spoke to me in the following terms:—

"I will see that a proper official and escort are deputed to accompany you as far as Manwyne. Please do not pass that place until your own escort has arrived there and taken charge of you, Messrs. Davenport and Baber.

I have, in consequence, written to Captain Cooke at Bhamo, requesting that the escort may be moved up to Manwyne, and have given the letter to the Imperial Commissioners for transmission to Bhamo, informing them previously of the contents of it.

Under these circumstances, there can be no pretence of a misunderstanding.

Ch'ên Kung-pau, the acting Governor-General of this province, has deputed a General to accompany me to Manwyne. This officer's name is Lei Ying-shan. The civil officials who accompany me will only go from place to place, and will then be relieved.

I have, &c.

(Signed) T. G. GROSVENOR.

P.S.—I intend to leave this place the day after to-morrow (March 25, 1876).

T. G. G.

No. 4.

Sir T. Wade to the Earl of Derby.—(Received September 24.)

My Lord,

Shanghai, July 22, 1876.

I HAVE very great pleasure in submitting to your Lordship copy of the inclosed letter from Mr. Grosvenor, acknowledging the cordial and valuable support he had received from Mr. Davenport and Mr. Baber, the gentlemen selected to accompany him to Yunnan.

I cannot doubt that Mr. Grosvenor's recommendation will be duly appreciated by your Lordship.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 4.

Mr. Grosvenor to Sir T. Wade.

Sir,

Yunnan Fu, March 23, 1876.

I SHOULD not be fulfilling my duty were I to omit to mention my appreciation of the services of Messrs. Davenport and Baber.

It would be impossible for any one under the same circumstances to give the person appointed as chief of the mission more cordial or valuable support.

I have, &c.

(Signed) T. G. GROSVENOR.

Sir T. Wade to the Earl of Derby.—(Received September 24.)

My Lord,

Shanghae, August 5, 1876.

IN my despatch of the 22nd July I had the honour to forward your Lordship copies of the papers sent up to Peking by Mr. Grosvenor, as having reference to the proceedings had under authority of the High Commissioners at Yünnan fu.

I now beg to inclose the Reports and other documents placed in my hands by Mr. Grosvenor after his arrival at Shanghae, as containing such information as he had been enabled to collect at Manwyne or elsewhere, on his way to the Burmese frontier.

I append a sketch map of the neighbourhood of Manwyne, prepared, at my request, by Mr. Baber. This establishes the position of the temple close to the low wall of Manwyne, in which Mr. Margary lodged, and of the spot near the hot springs, at which he was killed.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 5.

Mr. Grosvenor to Sir T. Wade.

Sir,

Bhamo, May 25, 1876.

WITH reference to that portion of your instructions which desired me to make what inquiries I could at Manwyne with regard to the murder of Mr. Margary and the attack on Colonel Browne, I have the honour to state, that shortly after my arrival at that place, I sent out a Chinaman to converse with the inhabitants of Manwyne, and obtain from them indirectly as much information as he could on the two above-mentioned points.

This man returned after the absence of an hour or two, and reported that the villagers, though willing to converse on other topics, the moment the late Mr. Margary's name was mentioned ceased talking, feigning ignorance of the arrival or departure of any foreigners last year. My informant (of whose willingness and discretion I cannot speak too highly) very soon succeeded in learning from the people he was talking to, that this reticence was due to the presence of two petty officials from Têng-yüeh-chou, who had come down to Manwyne, and had told the inhabitants on no account to let me, or any one connected with me, know the true details of the murder of Mr. Margary; adding that any one who did give me any information would be taken up to Têng-yüeh and put to death.

Soon afterwards, however, the place at which Mr. Margary stopped on his first visit to Manwyne was identified. The name of the owner and the position of the house being ascertained, Mr. Baber suggested that ——— should go there and pay a visit, feigning to be one of the late Mr. Margary's servants, and to have escaped at the time when his master was killed. This ruse was completely successful. ——— was recognised by the master of the house, and some of the family, as one of the late Mr. Margary's attendants, and was warmly congratulated on his escape, and asked to relate his adventures; which he did, relying on his imagination to find fitting facts.

He said that the terror of the moment had quite dulled his memory as to the precise spot of the murder, but that, according to the best of his recollection, it was 2 li distant from the village.

The master of the house in reply said:—"It is not wonderful that you should have forgotten, but the ford of the Hu-sung river is really 7 li from here." (There are 5 li to an English statute mile nearly all through the province of Yünnan.) ——— shortly afterwards left the house, but returned there the next day, and whilst there met another visitor, who was also aware of the scene of the murder.

Having got so far, I sent for the gentry of the place, and examined them. I beg to inclose a Memorandum of what passed at the interview. These gentry were six in number, and I examined each one separately. With the exception of the first man examined, they all denied any knowledge whatever, even at the present time, of the murder of the late Mr. Margary; and the first man, although he began by stating that he came to Manwyne every year on business, afterwards said that he had not been to Manwyne the year of the murder, but had heard of it in the neighbourhood of Têng-yüeh.

In the evening of the day on which this examination took place, another man, ———, began to talk openly about the murder of Mr. Margary. He said that first a letter had come down from the sub-Prefect of Têng-yüeh; this letter was followed by a body of soldiers; but Mr. Margary had gone to the ford of the Hu-sung river, with what

purpose ——— did not know. That whilst Mr. Margary was there some Kakhyens crossed the ford of the Hu-sung and joined the soldiers in an attack on him, which resulted in his being murdered in a rice field by the river, near the hot spring below the banyan trees. After Mr. Margary was killed, the attacking party cut off his head, and having nearly smashed his skull with stones, they brought his head and hung it upon a tree, not more than 100 yards from the town of Manwyne, as a warning to all travellers. Some people of Manwyne, fearing that if the head remained where it was they would be implicated in the murder, went to the tree at night, and taking the head down, threw it into a well. ——— did not know what well. Mr. Margary's body was either thrown into the Hu-sung river, or left on the spot where he was murdered. ——— added that 600 taels were paid to the wild men for their share of the work. The expression "under the banyan trees" is used as a local designation for a certain spot.

Mr. Baber had a temporary bridge constructed, in order that the troops sent to escort us might cross the Hu-sung river dry shod; and on inquiring his road to get to the bridge, was informed in the town that it had been constructed "below the banyan trees." The same ——— further stated that there was not a man in Manwyne who did not know the story of the murder as he had told it.

In confirmation of this story I beg to inclose two extracts from the diary of the Political Agent at Bhamo, the one made in March 1875, and the other on the 12th of May of this year; and further, to call your attention to the evidence obtained by Colonel Browne shortly after the attack upon him, and to the garbled statement made orally and in writing by Ting Taotai during the so-called trial at Yünnan-fu.

I went on the following day to the spot described by ——— as the scene of the murder, and found it tallied exactly with the description given. It is distant $1\frac{1}{4}$ miles from Manwyne, and the Hu-sung river runs past the spot, distant about 250 yards. Colonel Jebb, commanding the 67th Regiment, a portion of which formed the escort sent to meet me, stated in writing to Mr. Davenport that the last Kakhyen Tsaubwa, whose territory he had to pass through on the advance of the escort to Manwyne, had defined his jurisdiction as bounded by the Hu-sung river in the direction of Manwyne. The Kakhyen Hills do not commence until after the Hu-sung river is crossed.

The mother of Li Chen-kuo is a resident of Bhamo, and just before Captain Cooke, the Political Agent, left that place to accompany the escort to Manwyne, he received from her a written statement, which I have the honour to inclose in English and Chinese, containing the names of those whom she says are the real authors of the outrage upon Mr. Margary and Colonel Browne.

Whilst I was at Yünnan-fu, a petition from ——— reached me through a confidential channel. I also beg to inclose this document in original with translation by Mr. Davenport.

As soon as I had reached Bhamo, I requested Captain Cooke to send for Li Chên-kuo's mother, and I examined her as to what she knew. She is old and deaf, and the conversation was conducted through the medium of a young Chinaman, who stated himself to be Li Chên-kuo's servant, and to have brought a letter from Yünnan-fu to the mother. The result of this interview is appended to this despatch. One point of importance was elicited, namely, the name of the temple where Mr. Margary was staying on the 21st of February, 1875. This temple was occupied by one company of the 67th Regiment during their stay at Manwyne. Li Chên-kuo's mother sent me a written statement of the names of those implicated in the affair, copy and translation of which I have the honour to inclose.

Owing to a landslip in the hills, I was not able to visit the scene of the attack on Colonel Browne, nor have I been able to get any direct evidence on the subject. Of course, Li Han-hsing, *alias* Mêng-yo, could furnish the required evidence, were he not a prisoner at Yünnan-fu.

This much, together with two statements made by Captain Cooke's interpreter, the one before Mr. Davenport, the other before Mr. Baber and myself, is the sum of what I have to report from personal investigation and documents that have been communicated to me. I shall have the honour, in a subsequent despatch, of recording the general tenor of the hearsay evidence gathered along the route I pursued.

I have, &c.

(Signed) T. G. GROSVENOR.

Inclosure 2 in No. 5.

Statement of Li Kai-ching.

LI KAL-CHING (Chinese), fifty-one, is a native of a village ten li from Têng-yueh, and deals in cotton. Comes to Man-yün every eleventh month, and returns every fifth month; has no property in Man-yün; has four children; when Margary came was at Têng-yueh, or near it, in the country; only heard of his death from people in the streets talking of it. Knows nothing about the affair; came to Man-yün for the first time in the eleventh month of last year. Does not know any locality of the name of Mien-fo-ssu.

2. Chi Shao-tsêng (Chinese) is a doctor, aged 70; came to Man-yün in third moon of last year; contradicts this, and says it was the seventh moon. Knows no locality of the name of Mien-fo-ssu.

3. Lin Tzu-chang (Chinese), aged 56, sells tobacco; came to Man-yün from Hu-sa in the ninth moon last year. Calls No. 1 Li Va-hsin; has no relation named Lin Hsiao-hung, but has heard of a person of that name, whose mother, on the death of her first husband, married a certain Yang; has never heard anything of Margary's murder; no one ever told him of it. Knows of no such place as Mien-fo-ssu.

4. Tuan Yung-ch'uan, Chinese general dealer, came to Man-yün in the 10th moon, last year. Has never heard of any foreign official being murdered; knows of no place of the name of Mien-fo-ssu.

5. Man-ha-to-yin, Shan, 46, lives on his farm. Never heard of a foreigner being killed.

6. Pa-ka, Tai-yi, or Shan, farmer, never heard of Margary having been murdered.

Inclosure 3 in No. 5.

Extract from the Diary of the Political Agent, Bhamo.

March 30, 1875.—THE Mormla Tsembwa, who accompanied Mr. Elias and myself to Myne-mow, came in this morning. He states that he has been to Manwyne, and has ascertained that Mr. Margary was killed outside of the town, and near the water's edge; that his head was stuck upon the walls of the town, and that the body was thrown into the Taiping Chyung; all the Chinese attendants were killed except one, and he escaped.

(Signed) CRAWFORD B. COOK,
Acting Political Agent.

Inclosure 4 in No. 5.

Extract from the Diary of the Political Agent, Bhamo.

AFTER crossing the Hotsoung, we passed over some paddy fields about 250 yards in width, and then came to a smaller stream. The Burmese guides who were in front of Colonel Jebb and myself, stopped, put their hands in a small pool, and asked us to feel how hot the water was. That, they said, is the hot spring near which Mr. Margary was attacked by the Chinese and Kackyens; he was wounded here, and ran up the grassy slope on the east of the stream, and was followed and killed under a certain tree, pointing out one of three trees, which grew at intervals of about thirty or forty yards along the crest of the knoll. This information was entirely voluntary, and corresponds closely with what was told us at the time of the murder, in February, 1875.

(Signed) CRAWFORD B. COOKE, *Captain,*
Political Agent,
Bhamo, May 24, 1876.

Inclosure 5 in No. 5.

Petition of the Mother of Li Chen-kuo.

(Translation.)

The Petitioner, Li Fan Shih, 78 years of age, the mother of the degraded official, Li Chen-kuo, on her knees petitions the British Minister in a matter of repeated wrong and injustice.

IN the case of the murder of the foreign official Margary at Manwyne, and the stoppage of Colonel Browne at Nanpêng, the petitioner's son, Chenkwo, had long before been sent on public service to Meng-mao, which is upwards of eight days' journey from both places where he was seen by the two foreign officials Elias and Cooke, who can bear witness that he knew nothing of the matter.

When the Minister went to Yünnan conjointly to investigate the case, his luminous intellect quickly discovered the deception, and elicited that the petitioner's son was not present at those places, but while the petitioner's whole family were filled with inexpressible gratitude and thankfulness, suddenly, on the 3rd day of the third moon (28th March), two days after the Minister's departure, the petitioner's son was again brought up for examination, when the Court in an access of rage, without listening to any explanation, perversely laid the blame of the stoppage of Colonel Browne upon the son of petitioner. When suddenly confronted with this unexpected misfortune, he at once represented that Elias and Cooke who were with him at the time at Meng-mao, could alike testify that he was unacquainted with these affairs.

This statement merely increased the wrath of the Court, whereupon, without more ado, he was severely tortured and thrust into prison. This last accession of ill-treatment, for which there is no redress, is utterly intolerable; the inculpation of the wrong party by the Court is owing to the intrigues of Wu Ki-liang, late Magistrate of Momein.

Thus, in this case, the two foreign officials, Elias and Cooke, can bear witness that the son of the petitioner knew nothing of the matter, as they were with him at Meng-mao at the time, while Li-han Hsing or Mêng Yin can testify as to what occurred at Nan-pêng at the same time, and as to the calling out of the train bands, there were the heads of the Central Committee, Yang kwai K'üing, Hu tsi Yao and others, and the head quarters of the Committee were established in Wu Ki-liang's yamên.

All these matters were clearly to be apprehended, yet the Court, instead of putting any questions in this regard, persisted, in opposition to the dictates of common sense and their own consciences, in throwing the blame on the son of petitioner, who, as one crushed by the Tai-shan mountain, has no means of complaining of his ill-treatment.

At the present time the high authorities in their joint Memorial to the Throne, throw the blame solely upon the head of the son of petitioner. If this case should be wrongfully determined, the petitioner, who is 80 or 90 years of age, and has only this one son, will have no one to support her in her old age. Having no other means of stating her injuries, after anxious and bitter reflection, she can only throw herself at the feet of the Minister, whose luminous intelligence must cause him to feel pity for an aged woman and her only son, and redress his injuries, after which, he will, if needful, go through fire and water to make some small return for the favour shown him. In this pressing state of affairs the petitioner can only pray the Minister graciously to write to the Tsung-li Yamên at the capital to save the son of petitioner, and also write to the same effect to the three Envoys coming from the Province (Yünnan) in order to redress his grievances.

4th moon of 2nd year of Kwang Sü (May, 1876).

A true Statement by Li Fan Shih of the wrongs inflicted on her son, Li Chên-kuo.

In this case of an appeal to the capital by foreign officials, heaven and man are alike outraged at the injury inflicted on the innocent, and the spirits and heaven alike regard this gross injustice. All the persons fraudulently charged with the crime are innocent, while the original contrivers were the Magistrate of Momein, Wu Ki-liang, and the notable Yang Hwai-k'üing.

Those who called out the train bands were Hu Tsi-yao, Hsiung Yin-kuang, and Hwang Pin-chung. The leaders of the party were the respective heads of the several bands.

Shih Yü-tian was beheaded by Wu Ki-liang, and Yang Hwai K'üing in the Vigilance Committee Rooms in the yamên of Wu-ta-lao-yeh (the Sub-Prefect) in Momein. The priests of the Mien-fo-sye (Temple) can testify that the foreign official Margary was killed at Manwyne, and all the people in the town are well acquainted with the facts, which can

be learnt on inquiry of the village elders. Seeing that the whole matter may be elicited by inquiry, why should the innocent be wrongly implicated? If I have said one false word, may heaven exterminate me. The above statements are true. Why should only the innocent be arraigned; the people are dissatisfied with this injustice.

The interpreter, Mêng Yin, alias, Li Han-shing, having accompanied the foreign officials, is a witness of all that took place on the way. The train band which stopped Colonel Browne at Nan-fêng, was sent by the notable Yang Hwai-k'üing of the Siaou-hsi band. The leaders of the train band were the three train band Chiefs Hwang Pin-chung, Hsiaou Yung, and K'ang Tê-chuen, who brought into the field upwards of 400 men.

Hsiaou Yung is at present acting as interpreter for the wild men at the provincial capital. While at Manwyne, they captured Li Han-shing, and kept him prisoner for upwards of a month. The heads of the village can testify that while at Manwyne, they supplied themselves with food by levying contributions.

The priests of Mien-fo-ssü, and the village elders can give evidence on this subject.

Inclosure 6 in No. 5.

Examination of Li Chén-kuo's Mother.

(Extract.)

Bhamo, May 22, 1876.

LI'S mother knows nothing of the attack on Colonel Browne, but much about Margary's murder. Says that all the Shan temples are called "Mien-fo-ssü."

The temple in which Margary stopped on his return to Manwyne was "Mien-fo-ssü Shang chung."

Teacher, servants, and all, probably lived in the same temple. Baggage was also there. Margary was killed at Hu-sung river. The story heard by her was that Margary heard at Manwyne he was going to be murdered, and left the place.

The Chinese writer, Shih-yu-tien, was carried to Teng-yueh. Says that Lin-hsaio-hung had nothing to do with Margary's murder; knows nothing of Shouk-goön. Spokesman says he was at Mêng-mao with Li-chen-kwo when Margary was murdered. Lin-hsaio-hung has no father, but his mother is still alive.

[*Note.*—This conversation was carried on through a young Chinaman, a native of Teng-yueh, who was present, with the mother of Li Chen-kuo.]

Inclosure 7 in No. 5.

Evidence of Captain Cooke's Chinese Interpreter, Liang.

SAYS Shouk-goön in Chinese, is Yang-ta-wu. Yang-ta-wu is not the same as Yang Huai-k'üing. Lin Hsiao-kung is also known as Yang-chia-yeh-jên (a savage of the Yang family).

Liu Hsiao-hung is not an official; originally a small trader in tea and tobacco; made money, and went into the carrying trade between Bhamo and Manwyne. Subsequently Li Chen-kuo took him under his protection. He was not concerned in the murder of Margary, but he led men in the attack on Colonel Browne.

Inclosure 8 in No. 5.

Memorandum of a Statement made to Mr. Davenport by Captain Cooke's Interpreter at Manwyne.

THE man who caused the death of Mr. Margary at Manwyne, was a small military official, under the Commandant of Momein, named Liu-hsiao, a man notorious for his rapacity. The people who actually killed Margary were a miscellaneous set of Kakhyens, Shans, and Chinese vagabonds, set on by Liu. They speared Margary while bathing at the springs, and then came here to this temple ("mien-fo-ssü"), killed the Chinese followers, and made off with their property. Liu-hsiao-hung was not personally present at the murder.

The attack on Colonel Browne was made by a band of about 400 men, composed of Shans, Kakhyens, and train band men of Momein. Li Han-hang and Shih ran back into

the hills where they were captured by the Kakhyens and handed over to the authorities at Manwyne. Neither the Commandant Tsiang nor the Magistrate Wu left Momein. The Kakhyens who were brought before the court at Yünnan-foo were inhabitants of hills somewhat to the northward. They were captured in the street of Santa, whither they had gone to sell amber. They were in no wise implicated in the attack on Colonel Browne or murder of Mr. Margary.

Inclosure 9 in No. 5.

Mr. Grosvenor to Sir T. Wade.

(Extract.)

On the Irrawaddy, May 26, 1876.

IN continuation of my despatch of yesterday's date, I have now the honour to report the substance of the information that has reached me, concerning the authors and instigators of the Yünnan outrage.

At Hankow, just before starting on my journey, I met * * * * , who had just reached Hankow coming direct from Yünnan-fu. He told me he had fallen in with Mr. Margary five days' journey eastward of Yünnan-fu, and had travelled with him as far as that city. Also that every one in Yünnan-fu believed the murder of Mr. Margary and the attack on Colonel Browne to have been due to instructions issued by the Acting Governor-General of Yünnan. * * * * had heard from a small official in the Acting Governor-General's Yamên that the Acting Governor-General wished to murder Mr. Margary on his arrival at Yünnan-fu, but did not then dare disobey the orders he had received from Peking. * * * * also stated that the general opinion in Yünnan-fu was that the Li Chên-kuo had been captured to be offered up as a scape-goat for the purpose of exculpating higher officials.

* * * * , at K'wei-chou-fu, told me that there was a rumour amongst the Chinese that the Acting Governor-General had been summoned to Peking on account of the Yünnan outrage. He added that he, and those with whom he was in relations, thought that there could be no doubt as to the guilt of the Acting Governor-General.

On reaching Chung-ching-fu I met * * * * He showed me a copy of a letter he had just received from a resident at Yünnan-fu, dated the 29th of November, 1875, in which his correspondent stated that he had heard that morning that the Acting Governor-General of Yünnan had to pay a sum of 30,600 taels to Commissioner Li Hanchang in order to obtain the favour of an interview. He also showed me a letter, dated Tali-fu, November 16, 1875, stating that sixteen savages had been captured, and were being taken to the Provincial Capital. That these men could not speak or understand Chinese; and were consequently ignorant of what was awaiting them. That the intention of the Provincial authorities was to pass them off as the perpetrators of the outrage. That the real culprits were well-known, namely, Chiang t'i t'ai and Wu Chi-liang, the former in military command at Têng-yüeh (Momein), and the latter Sub-prefect of the of the same district.

My informant, moreover, related a story, told him by a friend lately arrived from the province of Kwei-Chou, to the effect that the Acting Governor-General of Yünnan had declared that he would not listen to orders from Peking; that he would rather lose his life than offer any reparation for the murder of Mr. Margary; that he would cause the members of the English Commission of Inquiry to be put to death, and then fight the English army, if any came.

Whilst I was still at Hankow, I desired persons on whom I could rely to make inquiries. The result showed that the Chinese, at Hankow at all events, believed the Acting Governor-General of Yünnan to be responsible for the murder of Mr. Margary and the attack on Colonel Browne.

At a village called Fu-hsing-chang, distant about six days' journey above Chung-ching, I got into communication with a Chinese, who had lately come back from Yünnan-fu, and he corroborated the story told by the person, whom * * * * had seen and spoken to. This man also said that the mission was to be met on the borders of Yünnan by an armed escort, which would probably have hostile intentions, and that it behoved the members of the mission to be on their guard.

At Yünnan-fu I saw * * * * , but he was too much afraid of the fact that any information he might give would possibly be made public, to talk openly on the subject of the Yünnan outrage.

* * * * 's representation, inclosed in my despatch of yesterday's date, was forwarded to me through friends. Through them I returned him a message to the

effect that I could do nothing, unless he told me who the real culprits were. This message produced, as a result, a small piece of paper purporting to come from * * * * , at Yünnan-fu. This paper, hurriedly and badly written, contains the names of those who are in the writer's estimation responsible for the murder of Mr. Margary. I beg to inclose the paper in original with translation. It contains the same surnames with, in two cases, different given names from those put down in the representation of * * * , inclosed in my previous despatch.

At T'êng-yüeh-chou, the only information obtainable was that Mr. Margary's head had not been exposed there. The people who were questioned knew nothing whatever about the outrage, except that Mr. Margary had been murdered somewhere in the Shan States. I have no proof of the fact, but I have very little doubt that the officials of T'êng-yüeh had warned the people not to afford any information on the subject.

Inclosure 10 in No. 5.

Paper received at Yünnan Fu.

(Translation.)

LI-HAN-HSING, otherwise Mao-yu, at present under custody in the Kun-ming Magistracy, knows the whole affair: Yang-kuan-chin and Hu-hsing, notables of T'êng-yüeh, incited Hwang-p'in-chung, and Hsiung-yu-kuan to go and commit the murders.

Li-chên-kuo was in charge of the border at a place where Elias and Cooke met him: when they stated that they were about to leave, Li appointed a trustworthy Chief to escort them back to Burma. He afterwards heard of Margary's murder.

Inclosure 11 in No. 5.

Mr. Grosvenor to Sir T. Wade.

Sir,

Rangoon, June 7, 1876.

THE Government of China having given the strongest assurances that the investigation set on foot by them and the trial at Yünnan-fu should be conducted with a view to the production of trustworthy witnesses, and the punishment of the real offenders, I have now the honour to submit the following consideration of the manner in which their formal and repeated promises have been fulfilled.

In the first place, although the party which attacked Colonel Browne is admitted by the Chinese to have been "probably about two thousand," and to have included many Chinese outlaws and retainers of Li Ch'ên-kuo, yet out of this great number not a single individual has been produced. The savages who are put forward as having murdered Mr. Margary are represented as having subsequently joined the assailants of Colonel Browne; but the Chinese statement of March 14th expressly points out "that they are not to be confounded with that body."

As regards evidence it is sufficient to state that the Commissioners have not produced, nor even pretended to produce, a single witness, either of the murder or the subsequent attack.

With reference to the savages who are represented as having confessed the murder of Mr. Margary, it became clear to Messrs. Davenport and Baber during the process of the trial that the interpreter was understood by them with, at the least, very great difficulty; nor did they exhibit the demeanour of criminals who had confessed a capital offence. A question which Messrs. Davenport and Baber put elicited a further contradiction of passages in their depositions which already conflicted.

But all doubt as to the credibility of their confession is set at rest by their statement, so often repeated, that Mr. Margary was murdered "below the banyans" by the Hu-sung river, and that they afterwards repaired to Mien-fo-ssu to plunder the baggage. It was discovered by the merest accident that "below the banyans" is a local term for a spot near the Hu-sung, a little more than a mile distant from Manwyne. A well-marked path, the only apparent path in the neighbourhood, leads under three conspicuous banyans down to the ford, and there, right in the path-way, mid-way between the banyans and the river-side, we found the bubbling hot-spring mentioned in the earlier accounts of the murder.

The scene of the murder is therefore put beyond doubt. It is not beyond the border, but in undoubted Chinese territory; not among hills, but in the midst of a long stretch of

rice-fields; not five miles from Manwyne as deposed by Li Ch'ên-kuo; nor eight as stated on the Chinese plan, but a little more than a mile by the windings of the route.

From this spot after the perpetration of the murder the savages are represented as confessing that they repaired to Mien-fo-ssu to plunder the baggage. Where is Mien-fo-ssu?

Li Ch'ên-kuo, in his deposition, states that "Mien-fo-ssu" is something over 10 li from Manwyne and about the same distance from the Husung river.

There are no temples, nor indeed buildings of any description whatever on the road from Manwyne to the Husung.

It turns out that Mien-fo-ssu (temple of the Burmese Buddha) is a general name for the temples of the Shan tribes. These Shans, or Tai, as they call themselves, must not be confounded with the savage hill-men, nor with the Chinese to whom they are subject. They are a civilized people of unknown antiquity, with peculiar customs, arts and language, and possessing an elegant alphabetic writing in which they record, on paper, the chronicles of their race. One of their characteristics is extreme devotion and veneration for their priests and temples. These latter at once struck us as very different from the religious buildings of the Chinese, reminding us both in interior details and external appearance of Burmese Buddhism and Burmese architecture.

The only temples in the neighbourhood of this name, Mien-fo-ssu, or, indeed, of any description, are situated in Manwyne itself.

It is ridiculous to suppose that a devout population, every man of which goes armed with a formidable cutlass, should, in broad midday, and within a walled place, allow their temple to be plundered, and the booty, comprising several heavy packages, securely carried away by a band of some dozen brigands.

It is a weary task to indicate the numerous contradictions and impossibilities which comprise the Chinese official case. It would almost seem as if they have not even taken the trouble to make their story consistent. The requirements of time and place are alike outraged.

If, according to their statement, Mr. Margary passed by the party sent by Li Ch'ên-kuo to attack Colonel Browne, which party must have been considerable, even supposing it to have only formed a portion of the whole body of 2,000 assailants, he could only have passed them close to the banyan trees, as the way up to that point, about a mile distant, is by a path a foot wide, between flooded rice fields. That party must, therefore, have at least witnessed the murder a few hundred yards further on, and the murderers must have passed them on their way to plunder the temple.

The Chinese statement, written blindly, with the purpose of making it appear that the murder was committed by savages among the hills, completely ignores this difficulty.

Pursuing the same object at all hazards, the Chinese, in the official plan, interpose a range of hills between Manwyne and the main river, which latter they make about seven miles distant from the village. The river, as a fact, runs close under the village, and the range in question is absolutely non-existent.

These same non-existent hills, with the same evident purpose, are provided with a population of no less than three savage tribes, with their designations carefully appended, extending to the junction of the Husung with the main river. This tract consists, as a fact, of a few rice fields, bordered by the sandy river shore, and is uninhabited. It was our usual bathing place while at Manwyne.

In the written depositions Erh-kôn is made to assert that he "could not join in" the murder or robbery because he was "shot by the foreigner." In his re-examination he is represented as having received a sword wound from the foreigner.

When at the trial it was asked which man was wounded, Chiang Taotai at once replies, "Erh-kôn." The interpreter interposes, "The wounded man is not here," thus taking upon himself to contradict the depositions and the official list of culprits. Upon the question being put to Erh-kôn, the savage denies, with an air of exceeding contempt, that he was ever wounded at all.

It would seem scarcely possible to crowd so many contradictions into so few words.

The written opinion of Wu Ch'i-liang, that "when ten or more foreigners secretly enter the passes without previously informing our officials, there is a clear precedent for what should be done," borders with suspicious clearness on a justification of his action, as having had clear precedent for what he did. In any case, this impudent declaration is in full and flat contradiction of the Commissioners' statement, that "the officials, seeing their passports, knew very well that they should be allowed to proceed."

The mention of the man Liu Hsiao-hung as present at the murder is another indiscreet *tapsus* on the part of the Chinese.

This individual, whose person and history have long been well known on both sides of the border, is neither a "robber by profession," nor a "wild man," nor a "Chinese renegade," nor a "Chinese kidnapped when young." By the Burmese he appears to have been looked upon as a minor Chinese official, but he is, in all probability, nothing more than a *protégé* of Li Ch'ên-kuo. His presence at the murder, and implication in the act, as asserted in the depositions, summarily disposes of the statement that the affair was a mere fracas with savages arising out of a demand for black-mail.

General Lei, the officer entrusted with our escort to Manwyne, asserts that this person planned the murder, having been sent from T'êng-yüeh for the express purpose by the Commandant Chiang.

Lei, moreover, had instructions for his apprehension, and circumstantially informed Mr. Baber of the fact, indicating the characters of the name on his hand in the usual Chinese manner.

Whether Liu Hsiao-hung was present at the murder, or merely a witness of it with the band which Mr. Margary had just passed, or whether he returned to the attack on Colonel Browne from another direction, there seems little doubt that he is the "shouk-goon" mentioned in the Burmese letter as having been met returning from the fight; "shouk-goon" or "shoung-goon" being the Burmese form of his name (Hsiao-hung), by which he has long been known in Bhamo and the neighbourhood.

It is difficult to believe that the band admitted by the Chinese to have been passed by Mr. Margary, and which could only have been passed just before he reached the scene of his death, held aloof from the murder; or even that the murderers and this band were separate parties; but assumptions of this kind are foreign from my present purpose. I merely take the Chinese case and indicate the inconsistencies and contradictions which it involves.

The fears of the T'êng-yüeh people are represented as having been greatly excited by the approach of twenty foreigners, and the probable consequences to the peace and prosperity of the country. The number of Colonel Browne's party is shown by the depositions to have been well known. If their visit created a panic sufficient to have caused the enrolment of the eighteen train-bands, how comes it that the incursion of three hundred British troops produced so little excitement that the civil and military officials of T'êng-yüeh professed entire ignorance of their approach?

It is remarkable that no mention is made in the statement or depositions of the dissolution of the train-bands, or of any official effort to calm their excitement. The officials contradict one another regarding the purpose for which the bands were called out. Li Ch'ên-kuo "received letters from the train-band committee at T'êng-yüeh to the effect that foreigners were bringing a force to occupy T'êng-yüeh," (contradicting the official statement that the enrolment of the train-bands was occasioned by the fear of a subsequent Mahomedan irruption,) and asking him to return to that place and call out the train-bands—which letters of course were not produced at the trial. The plausible Commandant on the contrary remarks, "the assembling of the train-bands is a common occurrence, and I never heard that it was with the object of stopping foreigners."

The careless disregard of fact and truth evinced by the Chinese Commission is very striking. On the occasion of their verbal statement they affirmed, and repeated, that Colonel Browne's assailants did not fire a single shot, and that the savages lived in caves, and were captured in a cave. In the written statement the former assertion was contradicted without remark, and the latter, to which their attention had been drawn by a question, was stated to be a mistake—by "cave" valley should have been understood. In view of the fact that a thousand or fifteen hundred men are represented as having been sent to invest the cave, or valley, in question, and that they suffered a loss of fifty men and three officers—a preposterous story—it is surprising that none of the survivors furnished more decisive information regarding the scene of action.

To this long list of falsehoods and inconsistencies I must yet add one more instance.

At a village on my road to Tali-fu I met Yang-Yü-k'ê, the Commander-in-chief of Western Yünnan. As you are aware, Sir, this official was deputed in May, 1875, by the Acting Governor-General of Yünnan, Ts'ên Yü-ying, to make a report on the circumstances of the outrage, which report was embodied in a memorial to the Throne. In the report it is stated that Yang Yü-k'ê and Ch'ên Taotai had both of them been to Manwyne and made investigations on the spot. Yang Yü-k'ê assured me in conversation that he had never been beyond T'êng-yüeh (Momein) in his life.

At Tali-fu I saw Ch'ên Taotai; and he, in reply to a remark of mine as to his knowledge of the road between Tali-fu and Manwyne, distinctly stated that he had never been beyond Yung-Ch'ang-fu in his life, and knew nothing of the road further on.

The Chinese statement of the case makes out that the officials of Yünnan having

after serious investigation found out the real criminals, &c., attacked them in their caves or valleys in the hills, killed some, and brought the rest as prisoners to await their trial.

Mr. Davenport during his journey across the Kakhyen hills saw and conversed in Chinese with the son of the Tsaubwa, or head-man of Ponlyne, and this individual stoutly denied that any Kakhyens had been taken from that neighbourhood. Captain Cooke's Chinese interpreter states that the hill-men produced in Court at Yünnan-fu had been captured at Chanta-fu, and were men from the north, not Kakhyens on the line from Bamó to Manwyne. That these men had come down from their hills to sell amber, and were treacherously taken prisoners.

The total absence of anything like truth or even plausibility in the Chinese statement of the circumstances connected with the Yünnan outrage is really remarkable.

I have, &c.
(Signed) T. G. GROSVENOR.

No. 6.

Sir T. Wade to the Earl of Derby.—(Received September 30.)

(Extract.)

Shanghai, August 5, 1876.

IN the foregoing despatch of this date I have forwarded the last of the information I shall probably receive as bearing directly on the Yünnan outrage. It is important more particularly as confirming the earlier accounts received of the whereabouts and circumstances of Mr. Margary's murder, and the connection of the authorities with the movement, of which the murder itself was but a detail. Of positive evidence, such as in a case of murder an English jury would demand, we have very little. We have not the evidence of a trustworthy eyewitness that Mr. Margary was murdered at all. Nor is it the fault of anyone that we have been unable to obtain evidence more conclusive. I was fully aware, when I insisted on the right of British officers to take part in the investigation, how distant was the chance of a solution which, with our appreciation of what is judicially sufficient, would be esteemed satisfactory. The antecedent history of foreign intercourse with China prepared me for a ready acceptance of the report first telegraphed from India that the attack on Colonel Browne had been directed by official authority. The attitude of the Central Government from the moment I communicated the intelligence to it, assured me of its complicity, as an accessory after the fact at least, if nothing more. Still it was impossible to claim either this or that measure of satisfaction without inquiry of some sort; and with the proceedings of 1870-71, in the case of the Tien-tsin massacre, to speak of no other, in my recollection, I resolved to insist upon the presence of British officers at the investigation. If it were conducted with some show of justice we should have no right to complain any more than in our own courts should no one accused be found guilty. On the other hand, if an attempt were made to baffle inquiry or to dupe us, detection of such an attempt would thrice arm us when we demanded reparation in a form that might secure us against recurrence of these atrocities.

Our efforts, I admit, have not secured to us the legal conviction of any person or persons that we can believe to be really responsible either for the attack on Colonel Browne or for the murder of Mr. Margary. As I have implied above, I hardly expected that they would.

On the other hand, of negative evidence we have, in my judgment, sufficient to sanction the very unfavourable opinion I had formed in the first instance of the responsibility of the Chinese Government, Provincial if not Central, in connection with this case. I can hardly escape one more review of it, but I will endeavour to make this brief as possible.

The Chinese Government, Central and Provincial, was fully aware that Mr. Margary was sent to Burmah to return with a mission appointed by the Government of India to travel through Yünnan. The correspondence of the India Office laid before Parliament last year, pp. 36-38, contains translations of the passports issued by me for the use of Mr. Margary and the officers of the Indian Mission, and sealed by the Tsung-li Yamên; also of the official despatch from the Yamên addressed on the subject of the mission to the Governments of Hu Peh, Ssu Chuen, Yün Nan, and Kuei Chou.

The known objection of the Chinese Government to any proposition that is new, and especially to propositions calculated to further or encourage the appearance of foreigners in regions not frequented by them, led me to expect, if not remonstrance against the incoming expedition, at least a demand for explanation. The papers I required were granted with hardly a remark. The Assistant Grand Secretary Shên jocularly

observed that it would be much shorter for the mission to come here by way of Shanghae, and some observations were made about the disturbed state of the Yünnan frontier. I noticed with surprise the apparent indifference of the Yamên to a request that I knew must have excited some suspicion at Court, but I explained it to myself by the fact that its attention was seriously preoccupied by the misunderstanding with Japan.

That the frontier country was not eminently insecure was proved by the fact that Mr. Margary, accompanied by two small Mandarins, traversed it unmolested.

The Mandarins with him had been given him as an escort by Ts'ên Yü-ying, Governor of Yün Nan, and, during the absence of his superior, the Governor-General of Yün Nan and Kuei-chow, in acting charge of that high post. They seem to have gone with him as far as the chief city of T'êng-yüch-chow, or Momein, a frontier district of which the chief civil authority is a Sub-Prefect, the military chief being a brigadier.

The population of this Sub-Prefecture is no doubt largely made up, to the westward, of tribes not recognized as Chinese, but there is a considerable Chinese population which, during the Mahometan insurrection, stood manfully by the reigning dynasty of China. As is usual under such circumstances, the work of defence devolves in chief upon volunteer bands raised, paid, and sometimes led, by the notables of the locality.

One of the most active partisans of the notables of Momein had been Li Chên-kuo, a man half-Chinese half-Burmese by race. He had earned a certain rank, a sort of local majority, by his services, and his duty seems to have been to watch the frontier and more or less to control the savage tribes and mixed races along it. It is this man, known otherwise as Li Hsietai, whom the High Commission sent to Yün Nan now seeks to prove responsible for exciting the population to a volunteer campaign for the protection of their country against a foreign invasion, the result of which was the repulse of Colonel Browne and the murder of Mr. Margary. To establish the charge the Commission has sent up certain letters written at or about the time Mr. Margary was at Momein, but which conclusively establish that, so far from exciting the population to war, he, Li Chên-kuo, was invited by the notables to come and put himself, as a man of approved valour, at the head of their train bands; they, the notables, having been roused to this effort of patriotism, their letter says, by the representations of their authorities, who had warned them of the expected advent of the Indian Mission. Li, in his reply to their invitation, warned them what they propose to undertake is no light matter.

Now it should be observed, before we go farther, that the Governor Ts'ên, who is credited with the suppression of the late insurrection in Yünnan, is reputed one of the most ruthlessly severe officials that ever trampled out a rebellion. To the Chinese mind extreme severity in dealing with rebels is perfectly excusable. When Yeh, in 1855-56, beheaded 70,000 persons at Canton, many of them had been surrendered by their own relatives, the decapitation of some 500 prisoners a day seemed to shock no one. The Governor Ts'ên is stated to have broken faith with rebels, to have massacred numbers who were guiltless of rebellion. From papers in my possession, I know that he was in danger of impeachment for his cruelty. Such a man is not to be trifled with. His subordinates, according to the popular voice, and Mr. Grosvenor confirms the impression, trembled at his word. He was in possession of the letters from the Yamên entrusted to Mr. Margary, and that an officer of the rank of Sub-Prefect should venture, without authority, on a course of procedure so at variance with the written instructions conveyed to the Governor Ts'ên in the letters carried by Mr. Margary is, in China, simply incredible. Indeed, had Ts'ên been a man of far gentler mould, no officer of his provincial staff with a knowledge of his instructions, and that the Sub-Prefect had such knowledge is proved by his communication of it to the notables, would have dared so to commit himself.

But would the Governor, it may be asked, with the Yamên's letters before him, undertake to annihilate, or even exclude, a mission whose entry under passport had been thus formally given notice of? Not, I am compelled to think, unless he had received separate instructions; and that he had instructions in so many words to drive back Colonel Browne *vi et armis* I do not contend. The utmost length that the Central Government would have gone would have been to issue an Imperial Decree reminding the Governor that this mission from India was without precedent; that, as Governor of a frontier province, it behoved him to see that the Empire did not suffer; yet always so that the Government should not be embroiled with foreign nations. State papers that have from time to time fallen into my hands are my authority for the assumption that, if it moved at all, the Central Government would have moved by these means.

What I advance is, no doubt, hypothesis; but I cannot ignore the past, and I cannot wholly exclude speculation from what I am about to write in reviewing what the Government for certain did and did not do.

I brought the Yün Nan outrage, as made known to me by telegraph, to the notice of

the Prince of Kung on the 12th March, 1875. A week elapsed before his Imperial Highness made his first representation on the subject to the Throne.

After obtaining passports for the Mission of Inquiry, eventually sent under Mr. Grosvenor, to obtain which I had to threaten a breach of relations, I left Peking early in April. Towards the end of April, Mr. Mayers, the Chinese Secretary, followed me to Shanghai.

At Tien-tsin the Grand Secretary Li quoted to Mr. Mayers a letter he had received from the Governor Ts'ên dated 22nd March, remarking that it was singular he should have mentioned the attack on Colonel Browne, and not the murder of Mr. Margary.

All this time the Yamên remained silent, nor was it until the 2nd June that the first Secretary of Legation, Mr. Fraser, was informed that Yang Yü-k'o, Acting Commander-in-chief of the Yünnan army, and a Taotai named Ch'ên Si-chên, had been sent to Manwyne to prosecute inquiry. The Yamên still professed to have no other information, although placards referring to the Yün Nan affair had appeared in Peking, being duplicates of placards posted in a city in Szechuen; while in Hu Nan a Magistrate, to whom a British missionary had applied in his difficulty, referred the applicant to the fate of Margary as a warning.

Now, to speak of no other evidence of the falsity of the Governor Ts'ên's report of the mission of General Yang and Ch'ên Si-chên, these two officers, first one and then the other, assured Mr. Grosvenor that they had never been to Manwyne at all. Similarly, some prisoners were presently reported captured by Ts'ên. But either these prisoners were never captured, or, if captured, were never produced when our mission was at Yünnan Fu. As to the dearth of information at the Yamên in a case of such importance, it is simply impossible to believe in it. There is no country in which, even where the case is simple, official reports so redundantly abound.

On the 16th June, Li Han-chang, Governor-General of Hu Pei and Hu Nan, was appointed High Commissioner. As soon as the Decree was gazetted, I telegraphed that this was good news. The Prince of Kung, for reasons unknown, waited five days before he wrote to inform me of the fact. However, on receipt of His Highness' note, I telegraphed in that sense to your Lordship, and I sent Mr. Grosvenor to Hankow to wait upon his Excellency Li Han-chang.

Before Mr. Grosvenor's departure, I had received news of the mission of Li Chên-kuo, or Li hsieh-tai, from Yünnan to Burma, and I had brought this to the notice of the Prince of Kung.

There can be no doubt that Li Chên-kuo was sent "en mission spéciale." The ostensible object of his mission, I am equally satisfied, was the presentation of the Chinese Calendar, or some other paper attesting the adoption of the style of the new reign. This is a formality observed by China towards her tributaries. Li Chên-kuo was perhaps of rather low rank to be chosen for such an errand. That his mission was formal is shown by the presents he carried to the King of Burma, of which the Agent of the Indian Government stationed at Bhamo took note.

It was singular that at such a crisis Li Chên-kuo should have been chosen for the service; the more singular when we see from the admission of the Governor Ts'ên* that he had earlier received a letter from Li on the subject of the train-band movement, and had given him, he affirms, a caution not to be too active. The great activity of Li had since seriously committed the Chinese Government, yet he was sent on an honourable mission. Neither the note from him to the Governor nor the Governor's reply is produced when I ask for it.

On the 31st July the Prince of Kung, in a note in which he professed to be without knowledge of Li's mission, informed me that, according to a Memorial received from the Governor Ts'ên, the General Yang and the taotai Ch'ên had been to Manwyne, and had ascertained that savages, tempted by the sight of their baggage, had attacked and plundered Colonel Browne's party, and had killed Mr. Margary, who was acting as their guide.

The Governor's Memorial was not communicated to me at the time. The Grand Secretary Li Hung-chang referring to it shortly after (on the 3rd August) stated that the people who attacked Colonel Browne were "tuan lien," train-bands. My impression is strong that he mentioned this as a statement in the Governor's Memorial. I have since applied to the Yamên for a copy of the Memorial, but it was refused me.

Meanwhile, I had declined to allow Mr. Grosvenor to proceed. The High Commissioner Li Han-chang had received him in a fashion that boded nothing but trifling. Unless I could obtain guarantees that my Government should not be trifled with, I would not send Mr. Grosvenor to Yün Nan. The guarantees I demanded were those

* See Inclosure in No. 27, "China No. 4 (1876)."

earlier named—guarantees for a better fulfilment of the provisions affecting diplomatic and commercial intercourse. My reasons, as I had earlier explained, for selecting such conditions in connection with such a question as the Yünnan outrage were, generally, that in non-satisfaction of these provisions lay the seeds of all our misunderstandings with China, and particularly that on the demise of the late Emperor I had given notice that I should take an early opportunity of drawing attention to the necessity of a better observance of the Treaty clauses regarding them.

It is unnecessary here to go through the history of the discussion which occupied nearly the whole of August and September 1875. I shall merely note that the Grand Secretary Li Hung-chang having been directed by Decree to confer with me in order to a settlement, an important concession obtained by him was promptly disavowed at the Tsung-li Yamên. I had insisted much on a Memorial from the Yamên complaining of the dilatoriness of the Governor Ts'ên; but I had stipulated, and the Grand Secretary had promised, that these papers should appear in the "Peking Gazette." The Yamên refused their publication, the Assistant Grand Secretary Shên observing that it did not follow that what his Excellency Li might guarantee in Tien-tsin was to be given effect to in Peking. I should also mention that on the 20th August I had addressed a long note, since laid before Parliament, in which I sketched out what had occurred, as made known to me by the Government of India. Colonel Browne had been sent to me from India to give me the information.

At last I obtained my guarantees. A Decree of the 28th September, published with the Yamên's Memorial on the same subject, enjoined the duty of diplomatic intercourse in very satisfactory terms. A note from the Prince of Kung a little later accorded my demand that Mr. Hart should be instructed to frame a report on foreign trade, on which might be based such remedial measures as were needed. Lastly, a Memorial and Decree upon the passport privilege were also published in the "Gazette." A mission of apology to England which had been named early in August was, at my instance, to wait until the Yünnan inquiry should be concluded.

I now consented to Mr. Grovenor's departure. He left Hankow on the 5th November, and I returned northwards from Shanghai, whither I had gone to give him his instructions. The High Commissioner, Li Han-chang, after two months of preparation, had started for Yünnan on the 17th August.

At Tien-tsin, as I went up, I had an interview with the Grand Secretary, Li Hung-chang, and the two envoys designate, namely, Kuo Sung-tao and Hsü Ch'ien-shên. The Grand Secretary took the line which he had always followed, of exonerating all officials above Li Chên-kuo, and of pleading hard against capital punishment even in his case, on the ground that if we desired trade on the Yün Nan frontier, Li Chên-kuo alone was able to serve us; he, and he alone, being equal to the control of the savage tribes. The Grand Secretary, Li, and the Yamên had both taken my note of the 20th August* as an indictment in the completeness of which I had full confidence, and the endeavour of both during the ensuing three months, appeared to be to ascertain what evidence I had, if any, in addition to what I had advanced in that note. When I now again met him his Excellency Li did not spare me in cross-examination. He incidentally, or perhaps purposely, let out one piece of information to which I had subsequently reason to attach special interest. This was the appointment of the ex-vice-President, Sieh Huan, as fellow-Commissioner of his brother, Li Han-chang. His Excellency Li, however, only spoke of it as a thing that might be, and when the mention of Sieh's name had drawn from me a very emphatic protest (for, as a member of the Tsung-li Yamên, and years before his elevation to that office, I had known him for a special example of the worst parts of the Chinese character), the Grand Secretary observed, deprecatingly, that it had been an idea of the Yamên.

I paid no more heed to the incident at the time, but, on the 9th December, there appeared in the "Gazette" a Decree acknowledging a Memorial shortly afterwards published, which had been dispatched, as the text showed, from Yünnan Fu, by the Joint High Commissioner Li Han-chang, Sieh Huan, and, to my astonishment, Ts'ên-yü-ying, the Governor of Yünnan, who, in that the offence to be inquired into had been committed in his jurisdiction, should have been, if not on his trial, at least not a party to this inquiry.

The Memorial, which had been prepared and dispatched with surprising alacrity, slightly modified the report earlier sent up by the General Yang and his colleague, but its special object, I saw at a glance, was to withdraw the Governor Ts'ên from the prosecution.

I, of course, at once required explanations of the appointment of Sieh Huan,

* Inclosure 1 in No. 35, "China No. 1 (1876)."

which it appeared from the text had been ordered by a Decree of the 7th August, when I was at Tien-tsin. It will be remembered that the Grand Secretary Li assured me that Sieh's nomination was due to the Yamên. On two recent occasions the Yamên has assured me that it was made at the prayer of the High Commissioner Li Han-chang. This is probable, as Mr. Grosvenor reports them nearly connected by marriage. I devote much space to Sieh, because the whole story is so illustrative of the difficulty besetting discussions of this nature. On the other hand, I made too much of his, Sieh's, influence. According to Mr. Grosvenor he is almost doting, and so deaf as to be of little weight in affairs.

The Memorial, however, whether as regarded the Commissioner Sieh, or the case he had been ordered to look into, was to me proof positive of an intention to play me false. The port of Tien-tsin was just closed. My egress from Peking was impossible till the spring. Mr. Grosvenor and his Mission were safe in the interior. The Chinese Government had thus security against the consequences of any course it might pursue for the winter. I thought it not unlikely that an attempt might be made to detain Mr. Grosvenor in Yün Nan, and my suspicion has been since justified by the expression of a regret, first, that he should not remain in Yün Nan until the Yün Nan affair was closed; then, that he should come away before the conditions of the frontier trade were settled. I had no fear for his personal safety, but I counted, I feel sure justly, upon an attempt to spin out proceedings which were certain to be unsatisfactory, with Mr. Grosvenor's Mission in a far off region as hostages against resort to any measure of coercion. It was for this reason that I sent him the revised instructions* in accordance with which he was, in brief, to hear all that had to be said, and to quit the country as soon as possible.

In the "Gazette" of the 15th February appeared a second Memorial which confirmed my suspicions. It was intended plainly to lay the murder of Mr. Margary on the savages, and to inculpate Li Ch'ên-kuo, but only in such wise as to render him liable to penalties short of capital punishment.

It should here be mentioned that of the two more important pledges given by the Chinese Government when I demanded guarantees of good faith in the spring of last year, there had been but a semblance of an effort to redeem one, while the other remained altogether unredeemed. In apparent obedience to the Decree of the 28th September, the Secretaries and Under-Secretaries of State had met the Representatives of foreign Governments at Tsung-li Yamên, when the latter were paying their usual visit of ceremony at the China new year. Taking our visit as to themselves, these high officers, twenty-six in number, had left cards at the Legations the following day. But two, the same two, entered any Legation, and when we returned their calls, we were in no instance received. The common talk which succeeded this piece of rudeness was so far from encouraging, that it became doubtful with many whether this show of a beginning had better not have been made. The one word to be said for it is that it was a beginning; and this, in China, is always something.

As to the pledge regarding trade, the Yamên received Mr. Hart's report towards the end of January. The Ministers made no immediate communication to me about it. My questions were unsatisfactorily replied to. Little by little it became known that the report found small favour with the majority of the Ministers of the Yamên. It had been sent down to the provincial Governments for their opinion; in other words, with a requisition for their veto.

To return to Mr. Grosvenor. He reached Yünnan-fu on the 6th March, and remained there about three weeks. On his departure the High Commissioners sent up a Memorial, in which they moved the throne to direct the Tsung-li Yamên and the Board of Punishments (the High Court of Criminal Justice) to confer together, and to pass sentence upon the persons whom the High Commission had found guilty.

This exceptional order of proceeding was suggested because the matter concerned foreigners.

The persons to whom guilt was attributed in the Memorial were the savages charged with the murder of Mr. Margary and Li Chên-kuo, charged with exciting the gentry of Momein, for purposes of his own, to take up arms.

Mr. Grosvenor's report of the proceedings, at which Mr. Davenport and Mr. Baber had represented him, had reached me on the 8th of April. It was accompanied by a mass of Chinese documents, purporting to contain the statements of the Sub-prefect of Momein, who had been suspended pending the inquiry; of the Brigadier similarly suspended; of Li Chên-kuo, and a relative of his, and of a number of savages, produced as the assailants of Mr. Margary. It needed less acquaintance with Chinese documents of the kind than I possess to induce me to pronounce the whole valueless.

* See Blue Book, "China No. 4 (1876)," page 13, Inclosure 1 in No. 13.

Mr. Grosvenor's Reports demonstrate how hopelessly contradictory to itself is the story that we are asked to accept as warranted by these depositions.

My belief in the utter faithlessness of the authorities connected with this inquiry hardly required the additional confirmation it received from the Memorial of the High Commissioners, which, indeed, the Prince of Kung hesitated to forward to me officially. Having been shown it, I asked to have it communicated to me officially, and I then repeated what I had already told the Ministers of the Yamèn, that if it were published an immediate rupture of relations would be the consequence.

I was still unable, it is true, to point to this individual or to that as guilty of this or that act, but I was equally unable to accept as proved the guilt of the savages or of Li Chên kuo. That the latter took part in the operations intended to keep out our Mission I have no doubt. Before the attack on Colonel Browne he was watching the route to the east, by which Colonel Browne was to have advanced, and he did turn back Mr. Ney Elias when he tried to enter China by that route. That he was present at the affair of the 22nd February, 1875, when Colonel Browne was attacked, I think extremely doubtful.

As to the savages, I think it more than doubtful that they belonged to the neighbourhood of Manwyne at all.

The Reports of our Mission make it clear, I think, that the statements put forward in the Memorials to the Throne, or in the depositions produced at Yünnan-fu, that the descriptions of tribes, caves, hills, and temples, &c., were the merest guesswork. The editors of these documents had studied with more or less care my note of the 20th August, 1875, to the Prince of Kung, but being without a knowledge of the ground, they have fallen into certain errors, which Mr. Grosvenor, as soon as he visited the locality, was enabled to expose.

It is much to be doubted, I say, that the savages brought up to Yünnan-fu belonged to the neighbourhood of Manwyne at all, and if not, the official story of their attack on Mr. Margary must be utterly rejected.

Their examination before Mr. Davenport and Mr. Baber afforded strong ground for believing, as those gentlemen did believe, that the prisoners, who could not speak Chinese, but imperfectly understood the interpreter. In the only instance in which cross-examination was pressed at all home the allegation that the prisoner questioned had been wounded by Mr. Margary hopelessly broke down. I could not in conscience have agreed that any one of the persons accused should be punished. Not one of them, to my mind, had been found guilty of the offence laid to his charge.

On the other part I had, as I conceive, the fullest right to believe that persons really guilty were being screened from punishment, and this although I had not yet received Mr. Grosvenor's closing reports; his letter from Bhamo of the 25th May last in particular, to which I shall presently return; but I had before me the printed journals of Colonel Browne and others, showing that a month before the expedition advanced a Chinese dealer had brought information to Bhamo that a large body of troops was in readiness to oppose its entrance into China; that Colonel Browne had been met, as he moved forward, by rumours that he would be attacked; that the same rumours were current in Mandalay as early as the 16th February, that is to say, six days before the attack was made; that on the 22nd, having observed Chinese reconnoitering his position the evening before, Colonel Browne was attacked; that immediately after the attack Burmese with him received, in his presence, letters from Burmese in some sort of official status, that is, acting as the King of Burma's cotton agents in Manwyne, to the effect that Mr. Margary and his servants, all Chinese, had been killed by Chinese on the 21st; that subordinates of the Momein Authorities had arrived from Momein; that a large body of troops was surrounding Colonel Browne, and would immediately attack him; that the information contained in these letters was confirmed and amplified a few days later by a Burmese scout who had accompanied Mr. Margary into Manwyne, and by another Burmese, in the King of Burma's employ, who was at Manwyne when Mr. Margary was murdered, and when the force destined to surprise Colonel Browne came down, as the Burmese in question deposed, from Momein.

These letters and depositions are published in the Correspondence of the India Office, pages 70 and 71.

I had also before me the testimony of Wang Hsü-shuang, originally a servant of Mr. Margary, but who had joined Mr. Ney Elias. (See the Foreign Office Correspondence laid before Parliament: "China, No. 1 (1876)," pages 36 and 37.)

This man, who by my desire was repeatedly cross-examined at Shanghae last summer, was a most unwilling witness on any point having apparent reference to official action.

I should trust little or anything that fell from him, unless it were supported by the evidence of others. He was not, as we know, with Colonel Browne on the 22nd February, but with Mr. Elias, and he tells the story of Mr. Margary's death only second-hand. But it is noteworthy that his informant corroborated in an important particular the story of Mr. Margary's murder told by the Burmese above cited, that he was killed when going to bathe, killed near some banyan trees; and it may now be as well observed that the story told by the priest in whose temple Mr. Grosvenor was lodged a year later, gave an account more or less in harmony with the same accounts as to the place and manner of his death.

It is also specially noteworthy that this same Wang Hsü-shuang, who was unquestionably under some sort of passport or safe-conduct, he says a visiting-card, given him by Li Chên-kuo, whom he had seen when Mr. Elias was turned back, represents that in Momein, or along the road leading to it, inquiries were being made for Mr. Margary's servants, who it was thought, might have escaped: "When caught they were to be put to death."

My own conviction, more especially since I have read the letters of the notables of Momein inviting Li Chên-kuo to put himself at the head of their train-bands, is simply that the said notables, as indeed they inform Li, had been led by what they had heard from their authorities to fear that Colonel Browne's Mission was an invasion that it behoved them to resist. Li Chên-kuo, be it observed, so far from encouraging them in their design, rejoins that what they propose is no light matter.

I repeat that, considering the outward respect shown by the Governor T'sên himself for the recommendations of the Tsung-li Yamên, of which Mr. Margary was the bearer, no subordinate of the degree of the Momein Authorities would have taken on him so to mislead the people had he not received a hint from the Chief of his Province that they were to be so misled.

Lastly, I doubt extremely that, truculent and ferocious as the Governor Ts'ên is represented to be, he would himself have dared, after receiving the Yamên's letter, to allow the safety of the Mission to be compromised had he not either received an order from the Central Government that it was to be withstood or destroyed, or been assured that its destruction, on which, after preparations of such magnitude, he was well entitled to reckon, would not be viewed with disfavour at head-quarters.

If my estimate of the Chinese Government's friendliness or good faith appears prejudiced I must beg to refer your Lordship to my earlier correspondence.

I am of course not unaware of the extreme difficulty of making it clear that an impression, in support of which I am so ill found in direct evidence, is justifiable. I am conscientiously persuaded that I do the Chinese Government no wrong when I assert it. And holding this impression, with the certainty that however steadily I might protest against the sufficiency of the reparation offered me, no effort I could make would bring me nearer an explanation of the outrage that I could report to Her Majesty's Government my belief in, I cast about for some measure of satisfaction that, while it better assured the future of our relations, it might not be unbecoming the dignity of my Government to accept as an atonement for the past.

I had asked myself, I had asked every one whose opinion on such a point I thought it worth obtaining, and that for months before the inquiry closed as unsatisfactorily as I had all along predicted to myself that it would, what, with the all but certainty that conviction of the really guilty is beyond our reach, with the fullest certainty that these atrocities are due to the anti-foreign feeling, the exclusivist policy of the Chinese Government, what could be exacted from it that a Minister might really point to as a proof that that exclusivist policy is being put away?

I had rarely received an answer, even in the most general terms, that in any way aided the solution of my difficulty, the seriousness of which, at the same time, every friend I consulted admitted. It was entirely of my own motion, therefore, that I eventually adopted the course I pursued.

Declining most positively to allow the punishment of the persons sentenced, threatening, indeed, that if they were punished, or the mendacious memorials reporting their condemnation were published, I would withdraw the Legation, I demanded what report I was to make to Her Majesty's Government of the Yünnan affair? what of the redemption of the pledges given regarding diplomatic and commercial intercourse?

The answers to all these questions being unsatisfactory, I signified my intention of proceeding to Shanghai, to hear Mr. Grosvenor's last word, and to telegraph to my Government.

This had alarmed the Yamên, and the Prince of Kung had shown a desire for farther conference, when I received letters which explicitly declared that the Sub-

Prefect and certain notables of Momein had organized the attack on Colonel Browne's Mission.

I had considered this established by the letters of the gentry handed me as incriminating Li Chên-kuo, and on receipt of this intelligence, the authority for which I was not free to disclose, I demanded the production of all the persons, official or non-official, whose evidence would be necessary to the establishment of the truth.

The chief of these, of course, was the Governor Ts'ên Yü-ying, and the mention of his name on the 31st of May last at once inclined the Yamên to fresh *pourparlers*. The discussion lasted from the above date until the 14th of June, when, for the third time, I withdrew from it.

I do not here review the matter of it. It underwent, especially in the chapter of trade, some modifications of more or less importance, the whole eventually being laid before the Yamên in the Memorandum containing eight propositions, to which, as I believed, the Yamên was about to accede on the 13th of June.

As I read their action, whether from pride, ill-will, duplicity, or, as is probable, from all three, on the 14th the Ministers of the Yamên attempted once more to recede from their engagements, and I thereupon informed them that my propositions were *non avenu*, and that the whole case would now be referred to Her Majesty's Government.

This, I must beg your Lordship to observe, was before I received your telegram of the 7th June, instructing me to be careful not to commit Her Majesty's Government to a decision until my despatches and the report of the Yün Nan Mission should be before it. The telegram only reached me at Shanghae some twenty days after it had been posted.

The great confidence with which I have been honoured as Her Majesty's Representative in this country has, I hope, not misled me. I confess to having imagined that whenever the hour of settlement might approach, my opinion of what was expedient would weigh for something with the Government.

China is, at the same time, the last country in which it is safe to postpone the solution of a difficulty, if a solution at once honourable and profitable can be found. I flattered myself that my eight propositions went a fair length towards covering this ground. Should they seem otherwise to your Lordship, I can but regret my error of judgment. If, as there is reason to fear, in undertaking to pronounce the case closed without reference home I exceeded my powers, I can only hope for an indulgent consideration of my misconception of their limits.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 7.

Sir T. Wade to the Earl of Derby.—(Received September 20.)

(Extract.)

Shanghae, August 7, 1876.

IT is currently reported, and generally believed, that the Grand Secretary Li Hung-chang has received an Imperial Decree directing him to proceed to Chefoo to confer with me; further, that the same Decree invests him with more than ordinary powers.

If this be true, it may be in my power before many days to inform your Lordship that the Chinese Government is prepared to offer terms that, in my opinion, it would not be inexpedient for the Government of Her Majesty to accept.

On the other hand his Excellency Li may not come to Chefoo, or, if he does come, negotiations may fail again, in which case it will be for Her Majesty's Government to dictate its demands.

No. 8.

Lord Tenterden to Mr. Grosvenor.

Sir,

Foreign Office, October 6, 1876.

LORD DERBY has read with much interest your reports of the mission sent under your charge to Yünnan to watch over the inquiry held by the Chinese High Commissioners into the attack on Colonel Browne's mission and the murder of Mr. Margary, and I am directed by his Lordship to state to you that he has great pleasure in conveying to you

the high approval of Her Majesty's Government for the successful manner in which you carried out this important and difficult service.

I am, &c.
(Signed) TENTERDEN.

No. 9.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, October 6, 1876.

I HAVE received your despatch of the 22nd of July, forwarding a letter from Mr. Grosvenor, in which he acknowledges the cordial and valuable support received by him from Mr. Davenport and Mr. Baber, in the mission sent under his charge to Yünnan, and I have to instruct you to convey to those gentlemen my high approval of their conduct.

I am, &c.
(Signed) DERBY.

No. 10.

The Earl of Derby to Sir T. Wade.

Foreign Office, October 19, 1876.

I HAVE to state to you that the arrangement at Chefoo, concluded by you with the Chinese Government, appears from an Imperial point of view highly satisfactory, but the Government of India will have to be consulted before a decision can be arrived at respecting it, and I am informed that the Viceroy of India is in communication with you upon the subject.

You are hereby authorized to return to England immediately to give any explanations as to the details of the Agreement which may be required.

I am, &c.
(Signed) DERBY.

No. 11.

Sir T. Wade to the Earl of Derby.—(Received November 6.)

My Lord,

Chefoo, September 13, 1876.

AS reported by telegraph, a deputation of notables had, before my arrival here on the 10th August, come over from Tien-tsin to induce me to confer with the Grand Secretary at that port. I have the honour to inclose an account of their visit, prepared by Mr. Mayers, who had arrived here on the 9th August; also translation of the Petition the notables had intended to present. They did not leave the original, and I accordingly took no notice of the paper.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 11.

Memorandum of Visit of his Excellency Hsü and the Prefect of Tien-tsin, Ma, to Chefoo, August 9, 1876.

HAVING arrived here at 4 A.M. this day, I was visited at about 8 o'clock by Hsü, second Envoy-designate to Great Britain, and Ma Shêng-wu, the Prefect of Tien-tsin, who had been waiting at this place on board the Chinese steamer "Fung-shun" since the 6th instant, as I learned, in expectation of the arrival of Her Majesty's Minister. They informed me that they had been on the point of returning to Tien-tsin early this morning, when, on the arrival of the steamer I had come by, they had learnt that I was on board, and they accordingly came to place in my hands a Petition addressed to Sir Thomas Wade by the notables of Tien-tsin, entreating him to dispense, in the interest of public security, with the visit which they understood was to be paid to Chefoo by the Governor-General, Li Hung-chang, for the purpose of negotiating with him upon pending questions. Some forty of the notables, including many of the principal residents of Tien-tsin, ex-officials of high rank, and wealthy merchants, had come down in the

“Fung-shun” with the intention of interceding in person with Her Majesty’s Minister to this effect, believing him to be already at Chefoo.

I gathered from my visitors that the Governor-General had been invested by Imperial Decree with full powers, and had been commanded to proceed to Chefoo to meet Sir T. Wade, but that a popular agitation had arisen on the news becoming public, the turbulent classes and the sufferers by the recent dearth showing symptoms of an insurrectionary kind, and the notables entreating the Governor-General, as their natural protector, not to leave his seat of government.

His Excellency Hsü endeavoured to convey the impression that it was as a diversion to the popular commotion that he and the Prefect had arranged this deprecatory mission to Chefoo, intimating that, “as flies are got rid of by spreading out the sugar,” agitation would be diminished by carrying off the leaders from the public opinion they influence, and thus giving it time to calm itself. Had the Governor-General actually embarked, he stated, as he had contemplated doing, on or about the 4th instant, there would certainly have been a rising in which Europeans would have lost their lives.

The voyage of the notables to Chefoo would, he believed, reassure them as to the hurtfulness of the Governor-General’s visit, which he (the Envoy) knew to be unavoidable; and what he wanted of me was to see the notables and let them know both that the Governor-General cannot refuse to come, and that his coming would be conducive to a speedy arrangement of affairs on an amicable basis. The Prefect Ma followed suit to the same effect. Both declared that the Governor-General would leave Tien-tsin for Chefoo so soon as he should hear of Sir T. Wade’s arrival. They informed me, at the same time, that two of the leading notables had proceeded to Peking to entreat that another high official might be commissioned as Plenipotentiary in his Excellency’s stead.

After some consideration, I agreed with my visitors, who were anxious to go back without delay to Tien-tsin, that I should return their call at once on board the “Fung-shun,” where I would see the notables in their presence, and take an opportunity, to be afforded by his Excellency Hsü, of impressing upon them the certainty that the Governor-General must fulfil his mission, enjoined upon him by Imperial Decree, and at the same time reassure them by a few words as to the pacific tendency of such a mission. On proceeding on board, I was received by his Excellency Hsü and the Prefect Ma, with a considerable number of the notables; and, handing to his Excellency Hsü a note addressed to Mr. Mongan, Her Majesty’s Consul at Tien-tsin, I stated that in this letter I had requested Mr. Mongan to advise his Excellency Li of the arrival here, within the next day or two, of Sir T. Wade, and also to state that the exact date should be made known to his Excellency without the slightest delay.

I had some ceremonious conversation with the leading notables, interspersed with laudatory remarks, on the part of Hsü and Ma, respecting Sir T. Wade’s just views and upright conduct, and the assistance he had repeatedly rendered the Chinese Government, notably in the affair of the Japanese invasion of Formosa; and only one of them brought forward the matter referred to in the joint Petition, viz., the relief of the Governor-General from the necessity of visiting Chefoo. On this subject I referred to the authority of the Imperial Decree as barring all discussion. My visit was a short one; and as soon as the “Fung-shun” was under steam, she left port for Tien-tsin.

(Signed) W. F. MAYERS, *Chinese Secretary.*

Inclosure 2 in No. 11.

Petition addressed by the Notables of Tien-tsin to Sir T. Wade.—(Received at Chefoo, August 10, 1876.)

(Translation.)

WE, the notables and people of the entire Prefecture of Tien-tsin, in the Empire of China, respectfully present the following petition to your Excellency.

We humbly submit that we have learnt that his Excellency the Grand Secretary Li has received Imperial commands to proceed to Chefoo for the purpose of negotiating with your Excellency on certain matters. It is publicly bruited abroad that he is to set out on this journey forthwith.

Whilst, however, we had been informed in the first instance that your Excellency was to arrive at Chefoo immediately, we subsequently heard a report that there had been postponement in this respect, which statement was followed by another to the effect that your Excellency was likely, after all, to be at Chefoo.

The public mind was at a loss for an explanation; whilst added to this was the fact that the Prefecture of Tien-tsin had been afflicted throughout the spring and summer by a

severe drought, entailing deficiency in the crops, and reducing multitudes of the population to want.

The state of affairs is altogether similar to that which prevailed in consequence of the floods in 1871, and in that year the population of the entire prefecture owed its salvation to the measures taken by his Excellency Li, in applying to the Throne for sanction to remissions of taxation, and the distribution of relief, by which means scores of thousands were preserved from death.

At the present moment, the people are famishing in consequence of drought, and there is serious reason to apprehend that at Tien-tsin, a port at which foreigners reside for purposes of trade, the famine-stricken population may commit excesses in the way of plunder, thus entailing injury upon both the Chinese and the foreign mercantile community.

His Excellency Li being at present engaged in the direction of measures for the repression of disorder and for diffusing tranquility, both foreign and Chinese residents owe their immunity from disturbance to his action.

Tien-tsin, moreover, is the gateway of access to the capital, and his Excellency Li is one of the pillars of the State, looked up to with veneration by the notables and people of the entire Empire.

Remembering, as we do in all humility, that relations of friendship have long subsisted between your Excellency's country and the Government of China, and that whenever earnest representations have been made, your Excellency has always deigned to give consent to what has been entreated, for which we, the notables and people of Tien-tsin, have long cherished feelings of respectful gratitude, we have accordingly determined, after repeated deliberation, to request his Excellency the Envoy-designate Hsü, and the Prefect Ma, to take us with them on the journey we have now undertaken, for the purpose of going with all respect to meet your Excellency, and to invite your Excellency to honour Tien-tsin with a visit.

If our request be allowed to prevail, his Excellency Li will be enabled to attend at once to the repression of disorder and the diffusion of tranquillity, and also to the questions connected with international relations. We, on our part, shall be filled with gratitude without bounds for the consideration shown us by your Excellency.

It is, of course, our duty to abstain from all interference in the matters forming subject of discussion between your Excellency's Government and our own. With reference to these, we humbly entreat that your Excellency will confer with his Excellency Li.

N.B.—The foregoing paper was presented in the form of a copy of an official document rather than in that of a petition or address. It was accompanied, when handed to the undersigned by the Envoy Hsü, by an envelope containing four slips of red paper, upon which are set forth the names and titles of forty-five of the notables of Tien-tsin. The leading names are as follows:—

Hwang She-hi,	an expectant	Taotai,
Wang Wên-yu,	„	Sub-Prefect,
Yen K'êh-k'wan,	„	Captain,
Wang Pei-keng,	„	Assistant Magistrate,
&c., &c.,	&c.	

(Signed) W. F. MAYERS, *Chinese Secretary.*

No. 12.

Sir T. Wade to the Earl of Derby.—(Received November 6.)

My Lord,

Chefoo, September 13, 1876.

I HAVE the honour to inclose translation of the note in which the Prince of Kung communicated to me the Imperial Decree conferring on the Grand Secretary Li the special powers with which, as my telegram will have informed your Lordship, that high officer had been invested.

I merely acknowledged its receipt.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 12.

*The Prince of Kung to Sir T. Wade.**Peking, July 28, 1876.*

(Translation.)

THE Prince has to state that on the 8th day of the 6th moon of the present year (July 28, 1876) the Grand Council delivered forth a copy of the following Imperial Decree received by it:—

“Let the Grand Secretary Li Hung-chang, Governor-General of Chih-li, enter upon the position of High Minister Plenipotentiary, empowered to take such action as the circumstances may require,* and proceed forthwith to Yênt'ai (Chefoo), for the purpose of conferring upon all matters whatsoever with the British Minister Wei T'o-ma (Sir T. Wade).

The above, having been reverently received, is in due reverence communicated for the information of the British Minister.

Kuang Sü, 2nd year, 6th moon, 8th day.

Inclosure 2 in No. 12.

Sir T. Wade to the Prince of Kung.

Sir,

Chefoo, August 10, 1876.

ON my arrival at Chefoo this afternoon I had the honour to receive your Imperial Highness's note of the 8th day of the 6th moon of the present year, informing me that, by an Imperial Decree of the same day, the Grand Secretary Li Hung-chang, Governor-General of Chih-li, had been invested with full powers and had been directed to proceed to Chefoo for the purpose of conferring with me upon all matters.

I renew, &c.

(Signed)

THOMAS FRANCIS WADE.

No. 13.

Sir T. Wade to the Earl of Derby.—(Received November 6.)

My Lord,

Chefoo, September 13, 1876.

THE Grand Secretary Li having arrived here on the 18th August, I had several conferences with him, either at his own residence or mine. His Excellency's desire was to treat on the base of the eight propositions which, in consequence of the line taken by the Tsung-li Yamên in June, I had declared *non avenu*. On my part, I pressed for the production of the ex-Governor Ts'ên and the other persons whose citation to Peking I had demanded on the 31st May; or, failing this, sufficient reasons for the refusal to produce them.

On the 31st August the Grand Secretary handed me a note from the Prince of Kung, without date, in which his Imperial Highness declined to move the summons of the ex-Governor without sufficient evidence. I inclose translation. The general grounds on which I based my demand had been laid before the Yamên when I was at Peking, and a fresh Memorandum, in which the facts were differently arrayed, was in process of preparation for submission to the Grand Secretary. The length of this paper, in fact, had been for much in the slowness of our negotiations. His Excellency, however, discovered great anxiety to hit upon some other mode of settling the difficulty; and after a long conference upon the 31st August I agreed to lay before him certain propositions, on his acceptance of which I was prepared to recommend Her Majesty's Government to consider the case closed. Before commencing negotiations I addressed the Grand Secretary the inclosed note.

I have, &c.

(Signed)

THOMAS FRANCIS WADE.

* The Decree employs both the expression “ts'üan k'üan ta ch'en,” which was originally devised by European interpreters to convey the sense of Minister Plenipotentiary, and also the native formula by which Plenipotentiary powers are indicated.

Inclosure in No. 13.

Sir T. Wade to the Grand Secretary Li Hung-chang.

Chefoo, September 1, 1876.

THE Undersigned presents his compliments to the Grand Secretary Li Hung-chang.

That there may be no misapprehension on the part of the Grand Secretary regarding the conditions under which the Undersigned declared himself, at the Conference of yesterday, to be ready to treat with the Grand Secretary, the Undersigned begs to re-state those conditions for the information of his Excellency.

The Undersigned had promised to lay before the Grand Secretary a statement of the case between England and China, after consideration of which the Grand Secretary was to decide whether it would be competent for him to present a Memorial to the Throne recommending that the demand of the Undersigned for the production of the ex-Governor Ts'ên and other officials, with certain notables of Momein, should be acceded to.

This statement is in course of preparation, but the Grand Secretary having urged the Undersigned, in view of the difficulties surrounding accordance of what is required above, to consider the possibility of substituting for this demand some other proposition, the Undersigned has agreed to lay before his Excellency a paper of proposals. These will be immediately submitted to the Grand Secretary, and the Undersigned will be prepared, whenever it may suit the Grand Secretary, to discuss them as a whole with his Excellency. If, after discussion of the propositions of the Undersigned, the Grand Secretary declare himself unable to agree to them, the Undersigned will withdraw definitively from the negotiations, and will report his withdrawal by telegraph to the Earl of Derby. All papers connected with the case will be in his Lordship's hands by the 25th instant, and should no agreement between the Governor-General and the Undersigned have been arrived at before that date, it will rest with Her Majesty's Government to decide what course it will instruct the Undersigned to pursue.

If the Grand Secretary should happily be able to agree to the propositions of the Undersigned, the Undersigned will report this to Her Majesty's Government, with a request that the agreement may be regarded as closing the case. But he will still require that the Prince of Kung, as soon as the papers signed by the Grand Secretary and the Undersigned have been laid before His Imperial Highness, shall obtain an Imperial Decree declaring that what was done by the Grand Secretary was entirely approved. The Prince of Kung will be farther expected to forward copy of this Decree to the Undersigned in an official note, in which His Imperial Highness will assure the Undersigned that to such of the propositions of the Undersigned as demand immediate action, immediate effect shall be given.

If the Prince of Kung decline to obtain a Decree, or if, such a Decree having been issued, his Imperial Highness decline to cause immediate effect to be given to such propositions as require to be immediately acted upon, the negotiations between the Grand Secretary and the Undersigned will be regarded as *non avenu*, and the Undersigned reserves to himself the right of taking such steps as the occasion may seem to him to render necessary.

(Signed) THOMAS FRANCIS WADE.

No. 14.

Sir T. Wade to the Earl of Derby.—(Received November 6.)

My Lord,

Chefoo, September 14, 1876.

AS my telegram of this date will have informed your Lordship, I signed yesterday an Agreement with the Grand Secretary Li Hung-chang. I have the honour to inclose one of the four copies of that instrument.

I inclose also translation of the Memorial which, as stipulated in the first Article of the first section of the Agreement, was to be presented to the Throne, in explanation of my reasons for declining the punishment of the persons sentenced by the High Commissioners sent to Yün Nan, and for desiring the substitution of a strong declaration on the part of the Chinese Government of its wish and intention to remain on friendly terms with foreign Powers.

The terms of this paper have been debated between myself and the Grand Secretary Li; and although I have left it an open question whether the Tsung-li Yamên or the

Grand Secretary shall present the Memorial, I believe that it will be presented by his Excellency. He has, at any rate, appended his signature to the draft.

Finding that, as is usual, the protraction of negotiations was disquieting the public mind, native and foreign; also that for this, if for no other cause, some of my colleagues were most anxious to see the discussion definitively terminated, I resolved, after much deliberation, to take on myself the responsibility of closing it without waiting for further instructions, provided that I could obtain certain conditions.

Those that suggested themselves to me were of two kinds. I had made the commercial advantages now to be conceded us, dependent, by implication, on the acceptance of arrangements by Her Majesty's and other Governments. This, of course, indefinitely postponed the enjoyment of the privileges newly acquired. It is now conceded by the Grand Secretary, Section III, Article vi, that the new ports of trade and ports of call shall be opened within six months after receipt of the Imperial Decree approving the Memorial of the Grand Secretary. The counter concession on our side is to await the decision of Her Majesty's Government, acting in concert with the Governments of other Treaty Powers. I promised, if the Grand Secretary would yield some such concession, to undertake to report the case closed, provided always that the Prince of Kung should do such further acts as I was entitled to expect at the hands of his Imperial Highness on my return to Peking.

I inclose copy of the note which I addressed to the Grand Secretary upon this latter point the day before I signed the Agreement, with translation of his Excellency's reply, forwarded a few hours after the signature.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 14.

Agreement between the Ministers Plenipotentiary of the Governments of Great Britain and China, signed at Chefoo, on the 13th September, 1876.

Agreement negotiated between Sir Thomas Wade, K.C.B., Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of China, and Li, Minister Plenipotentiary of His Majesty the Emperor of China, Senior Grand Secretary, Governor-General of the Province of Chih-li, of the First Class of the Third Order of Nobility.

THE negotiation between the Ministers above-named has its origin in a despatch received by Sir Thomas Wade, in the spring of the present year, from the Earl of Derby, Principal Secretary of State for Foreign Affairs, dated 1st January, 1876. This contained instructions regarding the disposal of three questions: first, a satisfactory settlement of the Yün Nan affair; secondly, a faithful fulfilment of engagements of last year respecting intercourse between the high officers of the two Governments; thirdly, the adoption of a uniform system in satisfaction of the understanding arrived at in the month of September, 1875 (8th moon of the 1st year of the reign Kwang Sü), on the subject of rectification of conditions of trade. It is to this despatch that Sir Thomas Wade has referred himself in discussions on these questions with the Tsung-li Yamên, further reference to which is here omitted as superfluous. The conditions now agreed to between Sir Thomas Wade and the Grand Secretary, are as follows:—

SECTION I.—*Settlement of the Yünnan Case.*

1. A Memorial is to be presented to the Throne, whether by the Tsung-li Yamên or by the Grand Secretary Li, is immaterial, in the sense of the Memorandum prepared by Sir Thomas Wade. Before presentation the Chinese text of the Memorial is to be shown to Sir Thomas Wade.

2. The Memorial having been presented to the Throne, and the Imperial Decree in reply received, the Tsung-li Yamên will communicate copies of the Memorial and Imperial Decree to Sir Thomas Wade, together with a copy of a letter from the Tsung-li Yamên to the Provincial Governments, instructing them to issue a proclamation that shall embody at length the above Memorial and Decree. Sir Thomas Wade will thereupon reply to the effect that for two years to come officers will be sent, by the British Minister, to different places in the provinces, to see that the proclamation is posted. On application from the British Minister, or the Consul of any port instructed by him to make application,

the high officers of the provinces will depute competent officers to accompany those so sent to the places which they go to observe.

3. In order to the framing of such regulations as will be needed for the conduct of the frontier trade between Burma and Yün Nan, the Memorial, submitting the proposed settlement of the Yün Nan affair, will contain a request that an Imperial Decree be issued, directing the Governor-General and Governor, whenever the British Government shall send officers to Yün Nan, to select a competent officer of rank to confer with them and to conclude a satisfactory arrangement.

4. The British Government will be free for five years, from the 1st January next, being the 17th day of the 11th moon of the 2nd year of the reign Kwang Sü, to station officers at Tali Fu, or at some other suitable place in Yün Nan, to observe the conditions of trade; to the end that they may have information upon which to base the regulations of trade when these have to be discussed. For the consideration and adjustment of any matter affecting British officers or subjects, these officers will be free to address themselves to the authorities of the province. The opening of the trade may be proposed by the British Government, as it may find best, at any time within five years, or upon expiry of the term of five years.

Passports having been obtained last year from a mission from India into Yün Nan, it is open to the Viceroy of India to send such mission at any time he may see fit.

5. The amount of indemnity to be paid on account of the families of the officers and others killed in Yün Nan; on account of the expenses which the Yün Nan case has occasioned; and on account of claims of British merchants arising out of the action of officers of the Chinese Government up to the commencement of the present year, Sir Thomas Wade takes upon himself to fix at 200,000 taels, payable on demand.

6. When the case is closed an Imperial letter will be written, expressing regret for what has occurred in Yün Nan. The Mission bearing the Imperial letter will proceed to England immediately. Sir Thomas Wade is to be informed of the constitution of this Mission, for the information of his Government. The text of the Imperial letter is also to be communicated to Sir Thomas Wade by the Tsung-li Yamên.

SECTION II.—*Official Intercourse.*

Under this heading are included the conditions of intercourse between high officers in the capital and the provinces, and between Consular officers and Chinese officials at the ports; also the conduct of judicial proceedings in mixed cases.

1. In the Tsung-li Yamên's Memorial of the 28th September, 1875, the Prince of Kung and the Ministers stated that their object in presenting it had not been simply the transaction of business in which Chinese and foreigners might be concerned; missions abroad and the question of diplomatic intercourse lay equally within their prayer.

To the prevention of further misunderstanding upon the subject of intercourse and correspondence, the present conditions of both having caused complaint in the capital and in the provinces, it is agreed that the Tsung-li Yamên shall address a circular to the Legations, inviting foreign representatives to consider with them a code of etiquette, to the end that foreign officials in China, whether at the ports or elsewhere, may be treated with the same regard as is shown them when serving abroad in other countries, and as would be shown to Chinese agents so serving abroad.

The fact that China is about to establish Missions and Consulates abroad renders an understanding on these points essential.

2. The British Treaty of 1858, Article XVI, lays down that "Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by Chinese authorities according to the laws of China.

"British subjects who may commit any crime in China shall be tried and punished by the Consul, or any other public functionary authorized thereto, according the laws of Great Britain.

"Justice shall be equitably and impartially administered on both sides."

The words "functionary authorized thereto" are, translated in the Chinese text, "British Government."

In order to the fulfilment of its Treaty obligations, the British Government has established a Supreme Court at Shanghae, with a special code of rules, which it is now about to revise. The Chinese Government has established at Shanghae a Mixed Court, but the officer presiding over it, either from lack of power or dread of unpopularity, constantly fails to enforce his judgments.

It is now understood that the Tsung-li Yamên will write a circular to the Legations,

inviting foreign representatives at once to consider with the Tsung-li Yamên the measures needed for the more effective administration of justice at the ports open to trade.

3. It is agreed that, whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to the spot to be present at the investigation.

To the prevention of misunderstanding on this point, Sir Thomas Wade will write a note to the above effect, to which the Tsung-li Yamên will reply, affirming that this is the course of proceeding to be adhered to for the time to come.

It is further understood that so long as the laws of the two countries differ from each other, there can be but one principle to guide judicial proceedings in mixed cases in China, namely, that the case is tried by the official of the defendant's nationality, the official of the plaintiff's nationality merely attending to watch the proceedings in the interests of justice. If the officer so attending be dissatisfied with the proceedings, it will be in his power to protest against them in detail. The law administered will be the law of the nationality of the officer trying the case. This is the meaning of the words "hui t'ung," indicating combined action in judicial proceedings in Article XVI of the Treaty of Tientsin, and this is the course to be respectively followed by the officers of either nationality.

SECTION III.—*Trade.*

1. With reference to the area within which, according to the Treaties in force, *li-kin* ought not to be collected on foreign goods at the open ports, Sir Thomas Wade agrees to move his Government to allow the ground rented by foreigners (the so-called Concessions) at the different ports, to be regarded as the area of exemption from *li-kin*; and the Government of China will thereupon allow I-ch'ang in the province of Hu-Pei, Wu-hu in An-Hui, Wên-Chôw in Che-Kiang, and Pei-hai (Pak-hoi) in Kwang-Tung, to be added to the number of ports open to trade, and to become Consular stations. The British Government will farther be free to send officers to reside at Ch'ung-k'ing, to watch the conditions of British trade in Ssu-Ch'uen. British merchants will not be allowed to reside at Ch'ung-k'ing, or to open establishments or warehouses there, so long as no steamers have access to the port. When steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration.

It is farther proposed as a measure of compromise that at certain points on the shore of the Great River, namely, Ta-t'ung, and Ngan-ch'ing, in the province of An-Hui; Hu-k'ou, in Kiang-Si; Wu-suêh, Lu-chi-k'ou, and Sha-shih, in Hu-Kuang; these being all places of trade in the interior, at which, as they are not open ports, foreign merchants are not legally authorized to land or ship goods;—steamers shall be allowed to touch for the purpose of landing or shipping passengers or goods; but in all instances by means of native boats only, and subject to the regulations in force affecting native trade.

Produce accompanied by a half-duty certificate may be shipped at such points by the steamers, but may not be landed by them for sale. And at all such points, except in the case of imports accompanied by a transit duty certificate, or exports similarly certificated, which will be severally passed free of *li-kin* on exhibition of such certificates, *li-kin* will be duly collected on all goods whatever by the native authorities. Foreign merchants will not be authorized to reside or open houses of business or warehouses at the places enumerated as ports of call.

2. At all ports opened to trade, whether by earlier or later agreement, at which no settlement area has been previously defined, it will be the duty of the British Consul, acting in concert with his colleagues, the Consuls of other Powers, to come to an understanding with the local authorities regarding the definition of the foreign settlement area.

3. On opium, Sir Thomas Wade will move his Government to sanction an arrangement different from that affecting other imports. British merchants, when opium is brought into port, will be obliged to have it taken cognizance of by the Customs, and deposited in bond, either in a warehouse or a receiving hulk, until such time as there is a sale for it. The importer will then pay the Tariff duty upon it, and the purchasers the *li-kin*; in order to the prevention of the evasion of the duty, the amount of *li-kin* to be collected will be decided by the different Provincial Governments, according to the circumstances of each.

4. The Chinese Government agrees that transit duty certificates shall be framed under one rule at all ports, no difference being made in the conditions set forth therein; and that so far as imports are concerned, the nationality of the person possessing and carrying these is immaterial. Native produce carried from an inland centre to a port of shipment, if *bonâ fide* intended for shipment to a foreign port, may be, by Treaty, certificated by the British subject interested, and exempted by payment of the half-duty

from all charges demanded upon it *en route*. If produce be not the property of a British subject, or is being carried to a port not for exportation, it is not entitled to the exemption that would be secured it by the exhibition of a transit duty certificate. The British Minister is prepared to agree with the Tsung-li Yamên upon rules that will secure the Chinese Government against abuse of the privilege as affecting produce.

The words "nei ti," inland, in the clause of Article VII of the Rules appended to the Tariff, regarding carriage of imports inland, and of native produce purchased inland, apply as much to places on the sea coasts and river shores, as to places in the interior not open to foreign trade; the Chinese Government having the right to make arrangements for the prevention of abuses thereat.

5. Article XLV of the Treaty of 1858 prescribes no limit to the term within which a drawback may be claimed upon duty-paid imports. The British Minister agrees to a term of three years, after expiry of which no drawback shall be claimed.

6. The foregoing stipulation, that certain ports are to be opened to foreign trade, and that landing and shipping of goods at six places on the Great River is to be sanctioned, shall be given effect to within six months after receipt of the Imperial Decree approving the Memorial of the Grand Secretary Li. The date for giving the effect to the stipulations affecting exemption of imports from *li-kin* taxation within the foreign settlements, and the collection of *li-kin* upon opium by the Customs Inspectorate at the same time as the Tariff duty upon it, will be fixed as soon as the British Government has arrived at an understanding on the subject with other foreign Governments.

7. The Governor of Hong Kóng having long complained of the interference of the Canton Customs revenue cruizers with the junk trade of that Colony, the Chinese Government agrees to the appointment of a Commission, to consist of a British Consul, an officer of the Hong Kong Government, and a Chinese official of equal rank, in order to the establishment of some system that shall enable the Chinese Government to protect its revenue without prejudice to the interests of the Colony.

Separate Article.

Her Majesty's Government having it in contemplation to send a mission of exploration next year by way of Peking through Kan-Su and Koko-Nor, or by way of Ssu-Ch'uen to Thibet, and thence to India, the Tsung-li Yamên, having due regard to the circumstances, will, when the time arrives, issue the necessary passports, and will address letters to the high provincial authorities and to the Resident in Thibet. If the Mission should not be sent by these routes, but should be proceeding across the Indian frontier to Thibet, the Tsung-li Yamên, on receipt of a communication to the above effect from the British Minister, will write to the Chinese Resident in Thibet, and the Resident, with due regard to the circumstances, will send officers to take due care of the mission; and passports for the mission will be issued by the Tsung-li Yamên, that its passage be not obstructed.

Done at Chefoo, in the Province of Shan-Tung, this thirteenth day of September, in the year of our Lord one thousand eight hundred and seventy-six.

(L.S.) THOMAS FRANCIS WADE.
(L.S.) CHINESE PLENIPOTENTIARY.

Inclosure 2 in No. 14.

Memorial to be presented to the Throne on the Yunnan Outrage.—(Communicated by the Grand Secretary Li Hung-Chang, September 12, 1876.)

(Translation.)

[THE writer] presents a Memorial requesting the issue of a Decree.

He would humbly recall the fact that, in the 6th moon of the 13th year of the reign T'ung Chih (May-June, 1874,) the British Minister residing in Peking proposed to the Yamên of Foreign Affairs, in accordance with precedent, to issue passports duly sealed, under which an official mission from India might enter Yün Nan by way of Burma, and the Interpreter Margary might be sent to meet it; also to write letters informing the provincial Governments along the line, as well as to the Governor-General and Governor of Yün Nan.

It was in course of time stated by the British Minister that, in the 12th moon of the same year (January 1875), the Interpreter Margary had reached Bhamo in Burma, and having there met Colonel Browne and the rest of the party sent from India, was returning through the Yün Nan country, when on the 17th of the 1st moon of the 1st year of the reign Kuang Sü (21st February, 1875,) he, the Interpreter Margary, was murdered at

Manwyne, a place which he had reached in the jurisdiction of Momein. On the 18th day (22nd February), Colonel Browne and the rest were attacked and driven back by an armed force.

In the 5th moon of the same year your Majesties despatched Li Han-chang, Governor-General of Hu Kuang, to make inquiry and take action, and the ex-Vice-President Sieh Huan was sent to act with him. The British Minister at the same time sent Grosvenor, Secretary of Legation, with other [officers] whom he had selected to Yün Nan, that they might be present at the investigation.

In the 3rd moon of the 2nd year (March 1876), Li Han-chang and his colleague, having completed their inquiry, reported to the effect that the murder of the Interpreter Margary was the act of savages, who had demanded black mail of him; that he had refused to pay it, and had been killed by them in consequence, and that it was at the instigation of Li Chên-kuo, the Military Officer (tu-ssü, major?) at Nan-tien, since cashiered, that his fellow travellers had been stopped. The case being one affecting foreign relations, they (the Commissioners) did not think it well to take on themselves to award a sentence, and they prayed your Majesties to instruct the Tsung-li Yamên to confer with the Board of Punishments and to report their joint opinion. Your Majesties having been pleased to signify approval of this course, a copy of the Decree, reverently made, was communicated by the Tsung-li Yamên to the British Minister, to whom were also forwarded copies of the Memorial of Li Han-chang and his colleague, with copies of depositions and letters.

And whereas the depositions of Li Chên-kuo, now cashiered, and the other prisoners supplied adequate (on trustworthy) evidence against them, the proper course would have been to award such penalties as, after reference to the laws of China, the prisoners should be found severally to deserve.

The British Minister, however, has handed in a Memorandum prepared by him, in which he states that, having carefully considered the report of the Secretary Grosvenor and those with him, he is of opinion that, although, by the laws of China, there might be ground sufficient for the conviction of Li Chên-kuo and the others whom Li Han-chang and his colleague have pronounced, on the depositions and other evidence before them, to be the principals in this case, [the prisoners, if the evidence were] tested by the law of England, would not, in his belief, be held to have been justly convicted; that the punishment of the persons above mentioned consequently, so far from being regarded as acceptable in England (or by the British Government), would, on the reverse, but too probably excite [feelings of] mistrust and apprehension. The persons murdered and driven back in this case, [the British Minister observes], were British officers, and inasmuch as Western civilization teaches that punishment of the past is not of so great consequence as the security of the future, he has earnestly requested that the parties in this case now awaiting sentence be not punished.

Your servant having, in obedience to your Majesties' Decree, repaired to Yen-t'ai to confer with the British Minister, would submit that, as the laws of China and the West differ from each other, and as there is a corresponding difference between their modes of proceeding, the sentences [that would otherwise have been passed] be modified so as to meet the exigencies of the case. Chiang Tsung-han, General of the Division of T'êng-yüeh T'ing (Momein), and Wu Ch'i-liang, Sub-Prefect of that jurisdiction, have already been cashiered. They need not, therefore, be taken farther account of. As regards Li Chên-kuo, the tu-ssü cashiered, with Erh Tung-Wa, La Tu, and the others, eleven in number, if there be no impropriety in the request, [the Memorialist] would respectfully pray your Gracious Majesties, as an exceptional instance of humanity beyond the prescription of the law, to deign to accord the request of the British Minister, and, as an act of indulgence, to consider the possibility of granting remission of their sentences. Prostrate he awaits the decision of your Sacred Majesties.

He reflects at the same time that, by the murder of the Interpreter Margary, he being an officer sent on a mission by a friendly Power, and provided with a passport, and by the repulse of the officers with him, a wound could not fail to have been inflicted upon the relations of amity existing between the two countries; while with the deep interest taken by your Majesties in foreign relations, your Majesties cannot but have felt deeply concerned thereat. [The Memorialist] proposes accordingly to request your Majesties to issue for publication in the capital and the provinces a Decree the promulgation of which may dissipate misgiving in the public mind.

China and other nations having long since made Treaties with each other, religious observance of which is equally incumbent on both sides, in the 9th moon of last year, the Tsung-li Yamên presented a Memorial, praying a more perfect exposition of the provisions of the Treaties, and a Circular was written by it to the Provincial Governments, reminding

them of the provision under which foreigners, travelling with passports, are entitled to protection, and enjoining on them a special attention to the meaning of the Treaties [in this regard], and the duty of action in conformity therewith, as differing circumstances might require. [Your Majesties replied to that Memorial], and it is the writer's duty to request that a Decree may now be issued, directing the Governors-General and Governors to obey with awe your Majesties' Decree of the 11th day of the 9th moon of last year (9th October, 1875), and once more to issue strict orders to their subordinates with reverence to second the desire of the Government to keep on terms of amity with friendly States, and to remember that whenever a foreigner is travelling in the interior with a passport they must act towards him in respect of his Treaty right as the Treaty requires; that he must be duly protected; that if any serious harm befall him in consequence of their omission to take proper precaution, the authorities of the province concerned will be held responsible; that in every Prefecture, Sub-Prefecture, and District Proclamations are to be posted; so that every household may know the relation in which the Chinese and foreigner stand to each other. [This done], misunderstandings will be certain not to occur.

Should your Majesties honour the above proposition with your approval, it will be for the Tsung-li Yamên to draft the Proclamation that is to be sent to the Provincial Governments for their guidance.

Whether the course suggested by the Memorialist for the termination of the Yünnan affair be worthy of adoption or not, he humbly beseeches their Majesties the Empresses Dowager and the Emperor, when they shall have perused them, to signify.

A respectful Memorial.

Inclosure 3 in No. 14.

Sir T. Wade to the Grand Secretary Li.

Sir,

Chefoo, September 12, 1876.

IN a note dated the 1st instant, I had the honour to state to your Excellency the conditions under which I was prepared to treat with your Excellency.

The agreement we have negotiated being now ready for signature, I am willing, as I informed your Excellency in our conference of yesterday, to modify those conditions in an important particular, namely, by definitively disposing of the affair under discussion.

In my note of the 1st instant, I promised that if your Excellency should happily be able to agree to the propositions we were about to discuss, I would report your agreement to Her Majesty's Government, with a request that it might be regarded as closing the case.

In recognition of the frankness with which your Excellency has treated me throughout the negotiations in which we have been engaged, I am willing to go a step farther in the direction of final settlement. As soon as the agreement before us has been signed, I shall proceed to Peking; and having announced my arrival to the Prince of Kung, I shall hope for the immediate appearance in the "Gazette" of the Memorials and Imperial Decrees referred to in the agreement. These having been published, I shall request that the Circulars which it is stipulated shall be addressed to myself and my colleagues, the Representatives of the Treaty Powers, be shown me. These papers, and all others to which the agreement points as requiring immediate expedition, having been communicated to me, I will telegraph to Her Majesty's Government that I have taken upon myself the responsibility of closing the Yün Nan affair.

Your Excellency, I am aware, appreciates the value of the arrangement I am thus substituting for that earlier contemplated. Under the latter it was left open to Her Majesty's Government to demand reconsideration of the whole case from beginning to end. If I report it closed, Her Majesty's Government is of course free to disapprove my proceedings; but I believe myself correct in affirming that the case will not be re-opened. The responsibility I accept in closing it, is at the same time considerable; and it will be impossible that I should make the report that I have undertaken to close it, until I have in my hands the guarantees indicated above.

To prevent misunderstanding, I append a list of the papers, which I shall expect the Prince of Kung to forward me when I reach Peking. On receipt of these it will be my immediate duty to perform the promise given on my side.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Memorandum appended to Note of the 12th September.

1. Decree concerning agreement between the Grand Secretary Li and Sir T. Wade.
2. Memorial of his Excellency Li on the Yün Nan affair.
3. Decree, in reply.
4. Tsung-li Yamên's Circular to Provinces, embodying 2 and 3.
5. Decree on Yün Nan frontier trade
6. Order for 200,000 taels indemnity.
7. Copy of Imperial letter of apology.
8. Yamên's letter announcing constitution of mission, and date of departure.
9. Circular to Legations on Code of Etiquette.
10. Circular on Code of Procedure in Mixed Court cases.
11. Reply to despatch on presence of British Officers at proceedings in Criminal Cases.

Inclosure 4 in No. 14.

The Grand Secretary Li to Sir T. Wade.

(Translation.)

Chefoo, September 12, 1876.

THE High Commissioner has to acknowledge the receipt this day of the British Minister's note, in which he states that the agreement negotiated being now ready for signature, he is willing to modify the conditions upon which he had previously declared himself prepared to treat in an important particular, namely, by definitively disposing of the affair under discussion. He adds that, on his arrival at Peking, he will hope for the immediate appearance in the Gazette of the Memorial and Imperial Decrees referred to in the agreement, on the publication of which he will request that the circulars which it is stipulated shall be addressed to himself and his colleagues, the Representatives of the Treaty Powers, be shown him. These papers, and all others to which the Agreement points as requiring immediate expedition, having been communicated to him, he will telegraph to Her Majesty's Government that he has taken on himself the responsibility of closing the Yün Nan affair. This having been done, he believes himself correct in affirming that the case will not be reopened by Her Majesty's Government. He appends a memorandum of the papers he will expect to be furnished with on his arrival at Peking.

In acknowledging the foregoing, the High Commissioner has to state that so soon as the Agreement negotiated between himself and the British Minister shall have been signed, he will forthwith despatch a memorial reporting the circumstances to the throne, and requesting the Imperial decision by rescript. On a rescript ratifying the terms of the agreement having been received, it will naturally be the duty of the Yamên of Foreign Affairs to take action severally in accordance with the various stipulations set forth in the Agreement, and to address successively to the British Minister the communications [which it is provided shall be sent to him.] For the promptitude and fairness of the step to be taken by the British Minister, in accepting the responsibility of declaring the case closed and reporting to this effect to the British Government, the High Commissioner can scarcely give adequate expression to the satisfaction with which he is penetrated.

He transmits to the Yamên of Foreign Affairs a copy of the note and memorandum under acknowledgment, requesting that the most careful attention be given to their tenour and the necessary action taken thereupon; and in addition to this he forwards the present reply.

Kwang Sü, 2nd year, 7th moon, 25th day.

No. 15.

Sir T. Wade to the Earl of Derby.—(Received December 3.)

My Lord,

Peking, October 2, 1876.

I REACHED Peking, as my telegram will have informed your Lordship, on the 21st September, and found waiting for me a note from the Prince of Kung, dated the 17th, in which His Imperial Highness had inclosed copy of the Imperial Decree issued on receipt of the Memorial of the Grand Secretary Li Hung-chang, draft of which had been shown me at Chefoo. A copy of the Memorial itself, which formed Inclosure 2 of my despatch of the 14th September, was appended to the same note.

I beg to forward translation of the note in question.

Believing that I had been led to expect a somewhat fuller acceptance of my agreement with the Grand Secretary Li than the short receipt embodied in the Prince's note, as soon as I read this I wrote to that effect to His Imperial Highness. I inclose copy of my note, and of the reply received to it on the 23rd September.

On the same day I received from the Prince a note, inclosing copy of the Circular which it had been stipulated that the Tsung-li Yamên should address to the Provincial Governments, directing their attention to the Memorial of the Grand Secretary Li, and the Decree acknowledging this paper. As the Yamên's letter embodies the Memorial and Decree, it is necessarily of considerable length, although its own additions are but of slight dimension. Translation is inclosed, together with copy of the reply, which, after a brief discussion of the terms employed in some parts of the Proclamation, I wrote to the Prince's note just mentioned, accepting it as satisfactory.

My agreement had stipulated that on receipt of the Proclamation I should formally claim the right of British officers to be present at investigations following upon acts of violence done to the persons or property of British officers, whether in the interior or at the ports; and that this claim should be formally admitted. I inclose copy and translation of the notes exchanged between the Prince of Kung and myself upon this subject; also translation of His Imperial Highness's note apprising me that the Minister Superintendent of Trade at the Northern Ports (the Grand Secretary Li) had been instructed to pay to any officer I might authorise to receive it the sum of 200,000 taels, the amount of indemnity agreed upon.

In further fulfilment of the stipulations of the agreement, circulars inviting consideration of a code of etiquette by which official intercourse may be regulated; of rules for the better administration of justice in mixed cases; and of a definition of the area of exemption from "likin" taxation to which duty-paid imports are to be entitled, were addressed to my colleagues, the Representatives of the Treaty Powers, myself, except in the last instance, included. The drafts of all these papers were communicated to me. I inclose translations of these; also of a semi-official note, in which the draft of the Circular upon taxation was sent me. Some words had been introduced into it after the draft had been seen by me; an incident to which I shall return elsewhere. It was, perhaps, on account of this that the Circular was not formally addressed to me as well as to my colleagues.

The above papers, with the draft of the letter to be carried by a special mission to the Queen, being those for the production of which I had stipulated (the draft of the Imperial letter, as I shall elsewhere report, had been communicated to me with the rest), I was bound to admit that the conditions on satisfaction of which I had promised to declare the case closed had been fulfilled, and I accordingly did so declare it: first, verbally, to the Prince of Kung; and, secondly, in an official note, copy of which, and translation of the Prince's reply, are the last papers with which I shall trouble your Lordship in this despatch. Of the latter, the reply, I shall observe that, although nothing can be less sympathetic, I do not conceive it to be intentionally curt, or indicative of indisposition to abide by what has been undertaken. The best evidence of the readiness of the Tsung-li Yamên to adhere to the terms of the agreement, is supplied by the fact that the moment it was received here, the Yamên printed it, and officially communicated a copy to every Legation. A good deal of course remains yet to be done, and this will, in part, explain the language I have employed in my note of the 30th September (Inclosure 12). I think it, at the same time, important not to leave it to be supposed that the past, if forgiven, has been entirely forgotten.

I have, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, September 17, 1876.

THE Prince of Kung makes a communication to the British Minister.

On the 17th September, 1876, the Grand Secretariat had the honour to receive the following Imperial Decree:—

“Li Hung-chang reports to us in sundry memorials and postscript memorials, stating that, in obedience to our Decree, he had proceeded with all dispatch to Chefoo, to take action in conference with the British Envoy on the subject of the Yün Nan affair. The

British official interpreter Ma-kia-li (*Margary*) having been murdered on the frontier of Yün Nan, in the district of T'êng-yüeh, the local, civil, and military officials have rendered themselves liable to punishment for their shortcoming in having failed to take due care for his protection, and it would be right that they should be punished each in conformity with the circumstances of the case. Inasmuch, however, as Li Hung-chang represents that the British Envoy, Wei T'o-ma, considering security for the future to be preferable to vengeance for the past, has requested that the prisoners awaiting sentence be exempted from punishment, we command that this request be complied with. Apart from the cases of the Acting Brigadier-General of T'êng-yüeh, Tsiang Tsung-han, and the Sub-Prefect of T'êng-yüeh, Wu K'i-liang, who have both already been cashiered, and who require no further notice, we decree that the sentences which are entailed by law upon Li Chên-kwoh, the military officer now cashiered, and Urh T'ung Wa, La Tu, and the other (*Kakhyen*) prisoners, eleven in all, be as an act of grace remitted. Nevertheless [it is to be remembered that] Ma Kia-li was an official acting under the orders of the British Government, to whom a passport had been issued for his journey by way of Yün Nan to Burmah, and to whom, both going and returning, it was a duty to afford protection. That he should have encountered so unhappy an end, and that the officers with whom he was travelling should have been attacked and obstructed in their advance, was an entire departure from the Sovereign's desire for [the maintenance of] friendly relations. The Governors-General and Governors of all the Provinces must henceforward zealously fulfil the injunctions conveyed in our Decree of the eleventh day of the ninth moon of last year (9th October, 1875), in issuing stringent instructions to their subordinates to the effect that, for the future, subjects of all nationalities who may be travelling in the interior under passport must be accorded the treatment secured to them by Treaty, and afforded efficient protection. The authorities, high and low, of the province concerned shall be held responsible in the event of injury or maltreatment being inflicted in contravention of the Treaties.

"We farther command the Yamèn of Foreign Affairs to draw up a Proclamation, to be sent by them to all provincial Governments, who will take the proper action thereupon. The local authorities of all such provinces are bound to familiarize themselves with the provisions of the Treaties, to the end that peaceful relations may be maintained between China and foreign States. Should any foreign subject or official meet a violent death, let them with all promptitude take measures for the apprehension of the actual offender, and provide for the adjudication of the case within a given period. Let them not indulge in arbitrary delays, whereby they would expose themselves to merited punishment.

"The case of Ma Kia-li being now terminated, for such measures as concern the Yün Nan frontier trade, we ordain that, when officers shall be appointed for the purpose by the British Government, the Governor-General and Governor of Yün Nan shall appoint competent officers of rank to proceed to the frontier of the said province to acquaint themselves with the condition of affairs, and agree in concert upon the regulations to be framed, reporting to us, at the proper time, for action thereupon."

[The Memorialist] having further submitted the Agreement negotiated, the following Imperial Rescript was issued:—

"Let effect be given to what has been proposed."

The Prince begs now to forward a copy of the Memorial, and a copy respectfully made of the Imperial Decree, for the information of the British Minister.

Kuang Sü, 2nd year, 7th moon, 30th day.

Inclosure 2 in No. 15.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, September 21, 1876.

ON my return to the Legation this morning, I found your Imperial Highness's note of the 17th instant. From the Imperial Decree embodied in it, and the Memorial presented by the Grand Secretary Li Hung-Chang, copy of which is appended to it, I learn that the Agreement signed at Cheefoo by the Grand Secretary and myself in quadruplicate, upon the 13th instant, must have been laid before the Throne.

I need hardly impress upon your Imperial Highness the importance of communicating to me without delay the Imperial Decree which I cannot but suppose has been issued confirming that Agreement, for the information of Her Majesty's Government.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 3 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, September 23, 1876.

THE Prince of Kung makes a communication to the British Minister.

The Prince has to acknowledge the receipt of the British Minister's note of the 21st instant, requesting that the Imperial Decree confirming the negotiations signed at Chefoo might be communicated to him without delay, for the information of Her Majesty's Government.

On the 17th September, the Grand Secretary Li submitted to the Throne the Agreement negotiated, and an Imperial Decree was received in the following words:—

“Let effect be given to what is proposed.”

The Agreement, it hence appears, received the Imperial sanction, and on the same day a copy of the Decree, reverently made, was communicated to the British Minister.

This is the reply which the Prince begs to make to the British Minister's note under acknowledgment.

Kuang Sü, 2nd year, 8th moon, 6th day.

Inclosure 4 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, September 23, 1876.

THE Prince of Kung makes a communication to the British Minister.

In the Agreement negotiated between the Superintendent of Trade for the Northern Ports and the British Minister, and confirmed by an Imperial Decree of the 17th instant, it is provided that the Memorial and the Decree [therein referred to] shall be embodied at length in a Proclamation, which shall be communicated to the British Minister. A copy of the Proclamation is now inclosed, for the information of the British Minister, from whom an early reply is requested, in order that steps may be taken [for its circulation].

Kuang Sü, 2nd year, 8th moon, 6th day.

Proclamation for the information of all.

THE following despatch has been received from the Tsung-li Yamên.

“With regard to foreigners travelling in the interior, it is stipulated, in all Treaties with foreign Powers, that ‘any person provided with a passport bearing the seal of the local authority, shall be allowed to proceed to any part, upon production of his passport at the places through which he may pass. Should any offence against the law be committed, the offender shall be handed over to the nearest Consul for punishment; but he must not be submitted to any ill-usage in excess of necessary restraint;’ and it is the duty of the authorities of whatever locality to act in conformity with these Treaties.

“In February of last year, the English Interpreter Margary, after having obtained a passport at Peking, proceeded to Yünnan. On his return, when within the jurisdiction of T'êng-Yüeh (Momein), he unhappily met with a violent death. An Imperial Decree was issued commanding Li, Governor-General of Hu Kwang, to proceed [to Yünnan] to make investigation and take action; and, furthermore, the Tsung-li Yamên submitted a Memorial to the Throne, setting forth the provisions of the Treaties, and praying that injunctions might be laid on the provinces to act in obedience [to these stipulations].

“On the 9th October, 1875, was received an Imperial Decree in tenor as follows:—

“The Yamên of Foreign Affairs has memorialized us, setting forth in distinct terms the provisions of the Treaties with different countries, and requesting that injunctions be laid upon the Governments of all the Provinces to act in obedience [to these stipulations.] With reference to [the privileges enjoyed by] foreigners of travelling in the interior, it is distinctly provided in all the Treaties that passports must be taken out, which must be impressed with a Chinese official seal, and which must be presented for inspection whenever required, whereupon passage will be granted. It is furthermore stipulated that in the event of any unlawful act being committed [by the bearer of a passport] he shall be handed over to the nearest Consul to be dealt with, being subjected

only to the necessary restraint while on the journey, but not allowed to be maltreated. Passports are not to be given to any but persons of respectability.

“The Treaty provisions are distinct in the extreme, and there should be no difficulty on the part of local authorities in taking action with regard to them as may be necessary. In the case which has lately occurred, of the British official Interpreter Margary, who has been murdered on the frontier of Yün Nan, we have already appointed Li Han-Chang to proceed without delay [to that province], in order to ascertain by whom the murder was committed, and to take action. After [the promulgation of this Decree] it will be an imperative duty with the Governors-General and Governors of all the provinces, to issue instructions to all the local officials under their control, directing them to take cognizance minutely of the intention of the Treaties, [and enjoining upon them that] whenever persons provided with passports enter their districts, it is incumbent upon them to take measures effectively, as circumstances may direct, in conformity with the Treaty provisions. By this means tranquillity will be secured to Chinese and foreigners alike, and causes of misunderstanding will be prevented from arising.

“In July of this year a second Imperial Decree was issued commanding the Grand Secretary Li, Governor-General of Chihli, to proceed to Yent'ai (Chefoo) in Shantung, there to meet Sir Thomas Wade, the British Minister Plenipotentiary, to consider the action to be taken in the case of the Interpreter Margary, and to submit a Memorial reporting the conclusion of the affair.

“The Grand Secretary Li subsequently presented the following Memorial :—

[Insert Memorial.]*

“On the 17th September, 1876, the Grand Secretariat had the honour to receive the following Imperial Decree :—

[Insert Decree of September 17, 1876.]†

“The Yamên, in obedience to the above, has to send copies [of the Memorial and Decree], and to direct that a Proclamation on the subject be issued.”

It becomes, therefore, an imperative duty to issue a Proclamation to all classes, whether soldiers or people, who are hereby informed that, in future whenever a foreigner provided with a passport is travelling in any part of the interior, efficient protection must be afforded him, in reverent obedience to the Imperial Will, twice proclaimed, to the end that amicable relations may be consolidated, and [foreign] Treaties duly conformed to.

Let not wilful disobedience involve any one in a grievous crime.
Important! important! A special Proclamation.

Inclosure 5 in No. 15.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, September 26, 1876.

I HAVE the honour to acknowledge the note, under date the 23rd instant, in which your Imperial Highness inclosed the draft of the Proclamation embodying the Memorial and Decree referred to in the Agreement negotiated by me with the Grand Secretary Li.

Having read the inclosure over with the Ministers of the Tsung-li Yamên, on the 25th instant, I have much pleasure in stating that I am perfectly satisfied with the Proclamation.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

* Inclosure 2 in No. 12.

† Inclosure 1 in No. 13.

Inclosure 6 in No. 15.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, September 25, 1876.

IN the Agreement signed by the Grand Secretary Li and myself, on the 13th instant, it was stipulated that "whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to the spot, to be present at the investigation.

"To the prevention of misunderstanding on this point, Sir Thomas Wade will write a note to the above effect, to which the Tsung-li Yamên will reply, affirming that this is the course of proceeding to be adhered to for the time to come."

I have now the honour to request that your Imperial Highness will write me a note in the sense required by this Article of the Agreement.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 7 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, September 25, 1876.

THE Prince of Kung makes a communication to the British Minister.

The Prince has to acknowledge the receipt this day of a note from the British Minister, which is here quoted in full:—

"In the Agreement signed by the Grand Secretary Li and myself on the 13th instant, it was stipulated that whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to the spot to be present at the investigation.

"To the prevention of misunderstanding on this point, Sir Thomas Wade will write a note to the above effect, to which the Tsung-li Yamên will reply, affirming that this is the course of proceeding to be adhered to for the time to come."

"I have now the honour to request that your Imperial Highness will write me a note in the sense required by this act of the Agreement."

The Agreement referred to in the note under acknowledgment was submitted to the Throne by the Grand Secretary Li on the 17th September, and the Imperial Rescript in the following words: "Let effect be given to what is proposed" has already been respectfully transcribed and communicated to the British Minister by the Yamên.

Being now in receipt of the note above quoted, the Prince has to reply that, as the Agreement in question has been submitted to the Throne in a Memorial, and confirmed by an Imperial Rescript, it becomes the duty of the Yamên to send instructions to all parts [of the Empire], that whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the course of proceeding to be adhered to is that laid down in the Agreement.

Kuang Sü, 2nd year, 8th moon, 8th day.

Inclosure 8 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, September 25, 1876.

THE Prince of Kung makes a communication to the British Minister.

Li, Minister Plenipotentiary, Grand Secretary and Governor-General of Chih Li, having on the 17th instant (Kuang Sü, 2nd year, 7th month, 30th day) memorialized His Majesty to the effect that the Yün Nan case was closed, and having submitted, at the same time, the Agreement negotiated with Sir T. Wade, the British Minister, an Imperial Rescript was received: "Let effect be given to what is proposed."

In that Agreement it is stated:—

"The amount of indemnity to be paid on account of the families of the officers and others killed in Yün Nan; on account of the expenses which the Yün Nan case has occasioned; and on account of claims of British merchants arising out of the action of

officers of the Chinese Government, up to the commencement of the present year, Sir T. Wade takes upon himself to fix at 200,000 taels, payable on demand."

An Imperial Rescript having been received directing that the course proposed by his Excellency Li, in his Memorial concerning [the payment of] this amount be followed, it has consequently to be paid. The Yamên have now decided to write to the Minister Superintendent of Trade for the Northern Ports to pay over in full the sum aforesaid, viz., 200,000 taels, full weight; and the British Minister is now informed of this, that when it suits him he may send an officer to take delivery of it. It will at the same time be for the British Minister to instruct his Consuls to satisfy all claims of British subjects prior to the commencement of the present year (Kuang Sü, 2nd year).

Kuang Sü, 2nd year, 8th moon, 8th day.

Inclosure 9 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, September 25, 1876.

THE Prince of Kung makes a communication to the British Minister.

On the 17th September, his Excellency Li, Imperial Envoy, Minister Plenipotentiary, Member of the Grand Secretariat, and Governor-General of Chihli, presented a Memorial reporting the settlement of the Yünnan affair, and submitted to the Throne the Agreement negotiated with the British Minister. His Majesty's pleasure was signified in these words:—"Let effect be given to what is proposed."

In the Agreement in question, the following passage occurs:—

"In the Tsung-li Yamên's Memorial of the 28th September, 1875, the Prince of Kung and the Ministers stated that their object in presenting it had not been simply the transaction of business in which Chinese and foreigners might be concerned, missions abroad and the question of diplomatic intercourse being equally within their prayer.

"To the prevention of farther misunderstanding upon the subject of intercourse and correspondence, the present conditions of both having caused complaint in the Capital and in the provinces, it is agreed that the Tsung-li Yamên shall address a circular to the Legations, inviting foreign Representatives to consider with them a code of etiquette, to the end that foreign officials in China, whether at the ports or elsewhere, may be treated with the same regard as is shown them when serving abroad in other countries, and as would be shown to Chinese Agents so serving abroad. The fact that China is about to establish Missions and Consulates abroad, renders an understanding on these points essential."

And again:—"The British Treaty of 1858, Article XVI, lays down that—

"Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by Chinese authorities according to the laws of China.

"British subjects who may commit any crime in China shall be tried and punished by the Consul, or any other public functionary authorized thereto, according to the laws of Great Britain. Justice shall be equitably and impartially administered on both sides.

"The words 'functionary authorized thereto' are translated in the Chinese text 'British Government.' In order to the fulfilment of its Treaty obligations, the British Government has established a Supreme Court at Shanghae, with a special code of rules, which it is now about to revise. The Chinese Government has established at Shanghae a Mixed Court, but the officer presiding over it, either from lack of power or dread of unpopularity, constantly fails to enforce his judgments. It is now understood that the Tsung-li Yamên will write a circular to the Legations, inviting foreign Representatives at once to consider with the Tsung-li Yamên the measures needed for the more effective administration of justice at the ports open to trade."

A Memorial, containing the two clauses quoted above, was submitted by the Governor-General Li, and has received the approval of the Throne. It therefore becomes the duty of the Tsung-li Yamên to request the British Minister and the foreign Representatives to consider the measures needed to give complete satisfaction.

Kuang Sü, 2nd year, 8th moon, 8th day.

Inclosure 10 in No. 15.

The Tsung-li Yamên to Sir T. Wade.(Semi-official.)
(Translation.)*Peking, September 25, 1876.*

AFTER the Agreement negotiated at Chefoo between the Grand Secretary Li and the British Minister had been confirmed from the Throne, the Yamên addressed the British Minister on the subject of the two clauses contained in the Agreement, one with regard to international intercourse and the other concerning the administration of justice.

The Yamên now begs to inclose a copy of each of the Circulars it has sent to the foreign Representatives, requesting them to take these questions into their joint consideration.

INTERNATIONAL INTERCOURSE.

Circular addressed to the Foreign Representatives.

An Imperial Rescript in these words: "Let effect be given to what is proposed," was returned to the Memorial presented by Li, Envoy Extraordinary, &c., &c., reporting the settlement of the Yunnan case, and submitting the Agreement negotiated with Sir Thomas Wade, the British Minister.

A copy of the Decree, reverently made, has already been sent in an official note, and (copies of the) Agreement have also been forwarded in a semi-official letter.

In the Agreement the following passage occurs:—

"In the Tsungli Yamên's Memorial of the 28th September, 1875, the Prince of Kung and the Ministers stated, &c., &c. [down to], an understanding on these points essential."

This clause being intended to make manifest the sincere and friendly disposition of the Chinese Government, it becomes desirable that the circumstances should be considered and an understanding arrived at, to the end that international intercourse may be marked by a greater degree of friendship and good feeling. The Yamên accordingly has to communicate a copy of the Article in question to the ——— Minister, and the other foreign Representatives for their calm consideration, and when an understanding has been arrived at, the Yamên would be glad to be made acquainted with its nature, in order that it may receive the attention of the Yamên in Council assembled.

JUDICIAL PROCEEDINGS.

Circular addressed to the Foreign Representatives.

An Imperial Rescript in these words: "Let effect be given to what is proposed" was returned to the Memorial presented by Li, Envoy Extraordinary, &c., &c., reporting the settlement of the Yunnan affair, and submitting the Agreement negotiated with Sir Thomas Wade, the British Minister.

A copy of the Decree, reverently made, has already been sent in an official note, and a copy of the Agreement has also been communicated in a semi-official letter.

In the Agreement the following passage occurs:—

"The British Treaty of 1858, Article XVI, lays down, &c., &c. [down to], fails to enforce his judgment."

The above quotation has special reference to joint negotiations under the sixteenth and other articles of the British Treaty, and the Yamên has [consequently] addressed itself to Sir Thomas Wade; but as regards a further clause in the Agreement which states: "It is now understood that the Tsung-li Yamên, &c., &c. [down to], justice at the ports open to trade," what is intended is that it should be taken into consideration whether it might not be possible to frame uniform regulations for all the Powers for future investigations in mixed cases.

The Yamên, therefore, invites the ——— Minister in the first instance to associate himself with the other foreign Representatives in Peking, for the discussion of this question, and to inform the Yamên of the result of the deliberations, in order that it may receive the attention of the Yamên in Council assembled.

Inclosure 11 in No. 15.

The Ministers of the Yamèn to Sir T. Wade.(Semi-official.)
(Translation.)

September 26, 1876.

THE writers regret extremely that they were prevented by public business from being at the Yamèn to converse with Sir Thomas Wade when he was so good as to call this morning.

The drafts of the despatches to be sent to the foreign Representatives [stipulated for] in the Agreement, on the subject of the settlement area within which foreign goods are to be exempt from likin, and on the levy of tariff duty and likin simultaneously upon opium, have already been discussed and agreed upon by the British Minister and the Minister Kuo: these are both most satisfactory. Until, however, the new regulations with regard to opium have been considered and determined upon, it will not be well to put a stop to the [present mode of] selling or taxing [the drug]. The old mode of procedure ought, as a matter of course, to be followed.

The writers have now added a short explanatory clause to the draft [Circular] despatch, which, it appears to them, renders its meaning more clear. They beg to forward copy of this document for the British Minister's perusal.

Compliments, &c.

 LIKIN AND OPIUM.
Circular to Foreign Representatives.

An Imperial Rescript in these words: "Let effect be given to what is proposed" was appended to the Memorial presented by Li, Envoy Extraordinary, &c., reporting the settlement of the Yunnan case, and submitting the Agreement negotiated with Sir Thomas Wade, the British Minister.

A copy of the Decree reverently made, and also of the Agreement, have already been communicated.

The Agreement in question states:—

"With reference to the area within which, according to the Treaties in force, likin ought not to be collected on foreign goods at open ports, Sir Thomas Wade agrees to move his Government to allow the ground rented by foreigners (the so-called concessions) at the different ports to be regarded as the area of exemption from likin."

And again, in another clause:—

"On opium, Sir Thomas Wade will move his Government to sanction an arrangement different from that affecting other imports. British merchants, when opium is brought into port, will be obliged to have it taken cognizance of by the Customs, and deposited in bond either in a warehouse or in a receiving-hulk, until such time as there is a sale for it. The importer will then pay the tariff duty upon it, and the purchaser the likin, in order to the prevention of evasion of the duty. The amount of likin to be collected will be decided by the different provincial governments, according to the circumstances of each."

China, hard pressed by the need of military supplies, has instituted the collection of likin, a tax levied alike on native produce and foreign goods unprovided with a transit certificate, either in the interior or at the open ports. Foreign merchants meanwhile claim that the tariff duty once paid, no additional tax in the shape of likin shall be demanded until the arrival of the goods at a barrier, and this diversity of opinion has led to much controversy.

Under the Agreement now concluded, Sir Thomas Wade will recommend his Government to arrive at an understanding with the other Powers whereby the ground rented by foreigners (the so-called concessions) shall be regarded as the area of exemption from likin, the object being to prevent future misunderstandings on the subject. As regards opium, [Sir Thomas Wade will move his Government] to sanction an arrangement different from that affecting other imports, under which both import duty and likin will be paid into the foreign Customs, in order to the prevention of evasion of the duty. (Until this question is settled the present system will continue to be followed.)

As it is provided that the date for giving effect to the stipulations affecting exemption of imports from likin taxation within the foreign Settlement, and the collection of likin on opium at the same time as the tariff duty upon it will be fixed, as soon as the British Government has arrived at an understanding on the subject with other foreign

Governments, the Yamèn has to invite the [the other foreign Representatives] on the subject of these two stipulations with a view to arriving at an understanding, which it would request the lay before his Government for their consideration. When all the foreign Governments have come to a satisfactory arrangement on these points, the Yamèn would feel greatly obliged to the Minister to communicate the fact, in order that the Yamèn may take the necessary steps.

Inclosure 12 in No. 15.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, September 30, 1876.

I HAVE the honour to refer your Imperial Highness to a note addressed by me at Chefoo on the 12th instant to the Grand Secretary Li Hung-Chang, copy of which has been, I know, communicated to the Tsung-li Yamèn by his Excellency.

This was to the effect that, as soon as the Agreement negotiated by the Grand Secretary and myself was signed, I should proceed to Peking, and that, having announced my arrival to your Imperial Highness, I should look for the immediate publication in the "Gazette" of the Memorial and Imperial Decree referred to in the Agreement. These published, I should request that the circulars which it was stipulated in the Agreement were to be addressed to myself and my colleagues, the Representatives of the Treaty Powers, should be shown me; and on communication of these papers, and of all others to which the Agreement pointed as requiring immediate expedition, I would telegraph to Her Majesty's Government that I had taken on myself the responsibility of closing the Yün Nan case.

The documents enumerated in my note of the 12th instant having been duly expedited, I had the honour to state, when your Imperial Highness was at the Legation on the 27th instant, that I was prepared to fulfil my promise, and I, accordingly, telegraphed the same day to the Earl of Derby that I had taken on myself to declare the Yün Nan case closed. As soon as I receive his Lordship's reply it will be my duty to communicate it to your Imperial Highness.

I am not without hope that the step I have taken may be approved, but, as your Imperial Highness is aware, I took it without authority. The case, as I have again and again repeated, has very seriously engaged the attention of the Government and the country. This could not be otherwise; and the question to which both will look for a reply is, whether the measure of reparation which I have ventured to accept is or is not a sufficient guarantee for the future security of Her Majesty's subjects. It is by facts, not by words, that this question will have to be answered, and I cannot too earnestly impress upon your Imperial Highness the necessity of ensuring, both in the capital and in the provinces, immediate attention to the stipulations of the Agreement negotiated at Chefoo with the Grand Secretary Li, and approved by Imperial Decree, whether as affecting the Yün Nan outrage *per se*, the question of diplomatic intercourse, or the expansion of trade.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 13 in No. 15.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, October 3, 1876.

THE Prince of Kung makes a communication to the British Minister.

The Prince has to acknowledge the receipt, on the 2nd instant, of the British Minister's note, in which he refers to his personal statement made on the 27th of September, that he was prepared to telegraph to the Earl of Derby that the Yün Nan case was closed.

The note under acknowledgment continues—"I cannot too earnestly impress upon your Imperial Highness the necessity of ensuring, both in the capital and in the provinces, immediate attention to the stipulations of the Agreement negotiated at Chefoo, and approved by Imperial Decree, whether as affecting the Yünnan outrage *per se*, the question of diplomatic intercourse, or the expansion of trade."

The Prince is thus put in possession of the information that the British Minister has reported to his Government the settlement of the Yünnan case.

As regards the Agreement negotiated at Chefoo, an Imperial Decree having been received confirming its stipulations, the Yamên has, in obedience to its commands, written to the various provincial authorities, and has addressed the foreign Representatives.

The British Minister may assuredly set his mind at rest
Kuang Sü, 2nd year, 8th moon, 16th day.

No. 16.

Sir T. Wade to the Earl of Derby.—(Received January 19, 1877.)

(Extract.)

Shanghai, November 23, 1876.

ON my return to Peking from Chefoo, I found that the Mission, which, although its permanent residence in England is contemplated, was none the less a mission of apology, was, too probably, to be delayed some months in China. Had this been the case, the satisfaction, at the most not much, that the apology might be held by Her Majesty's Government to provide, would have been materially diminished. I felt bound, therefore, to press very earnestly for its immediate departure. I inclose copies of the correspondence which this incident gave occasion to.

Inclosure 1 in No. 16.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, October 26, 1876.

THE Ministers who did me the honour to receive me at the Yamên to-day will doubtless inform your Imperial Highness of what passed between their Excellencies and myself on the subject of the Mission about to proceed to England with the letter in which the Chinese Government expresses regret for what occurred in Yünnan.

I am still without an answer from the Earl of Derby to my telegram of the 12th of September, in which I gave a summary of the Agreement that I was to sign on the following day, or to the telegram of the 27th announcing that I had taken it upon myself to declare the case closed.

I am, therefore, unable to say whether the settlement accepted by me has been approved or not by Her Majesty's Government, and as I have now informed the Earl of Derby in a telegram dated yesterday that there appears to be some doubt as to the route the Mission will take, and the time that its journey will occupy, I think it right to express my opinion that the case will not be regarded as closed by Her Majesty's Government until the Imperial Letter shall have been delivered.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 2 in No. 16.

The Prince of Kung to Sir T. Wade.

Peking, October 27, 1876.

THE Prince has to acknowledge the British Minister's note of the 26th instant, referring to the conversation which passed that day between the Ministers of the Yamên and the British Minister on the subject of the Mission about to proceed to England.

The British Minister states that he is still without an answer from the Earl of Derby to his telegram of the 12th September, dispatched the day before the Agreement was signed, or to his telegram of the 27th September, announcing that he had taken upon himself to declare the case closed.

He is, therefore, unable to say whether the settlement has been approved or not by Her Majesty's Government.

The British Minister continues, that on the 25th instant he telegraphed to the Earl of Derby that there appeared to be some doubt as to the route the Mission would take, and the time its journey would occupy, and he thought it right to express his opinion (to

the Prince) that the case will not be regarded as closed by Her Majesty's Government until the Imperial letter shall have been delivered.

The Ministers of the Yamên duly reported to the Prince all that the British Minister stated regarding the Mission to England on the occasion of his visit to the Yamên two days ago.

The Prince has already, on the 2nd October, received a note from the British Minister stating that the Yün Nán case was closed.

As regards the Mission, the British Minister was informed, on the 25th September, that its departure was to take place during the 9th moon. It is now the full intention of the Ministers composing the Mission to start before the end of the 9th moon, and to proceed direct from Shanghai by mail steamer. There is, therefore, no uncertainty whatever [about the matter]. The Prince would mention in addition that the date of the signing of the Agreement is the 26th day of the 7th moon; it is no doubt by a clerical error in the note under acknowledgment that the day is given as the 25th.

The Ministers of the Yamên are further addressing the British in a semi-official note.

Kuang Hsü, 2nd year, 9th moon, 11th day.

Inclosure 3 in No. 16.

Semi-official Note from the Ministers of the Yamên.

(Translation.)

Peking, October 27, 1876.

WHEN the British Minister was at the Yamên yesterday he spoke with reference to the Mission, and inquired at what date it would eventually take its departure, and whether it would still be necessary for it to tarry at Shanghai or Hong Kong.

The Ministers immediately referred to his Excellency Kuo for information on these points. His reply is to the effect that on the 25th instant he spoke to the British Minister on the subject, when he stated that it was by no means a settled matter that he would proceed by way of the inland waters; and when the British Minister mentioned a date beyond which it would not be well for the Mission to depart, he then and there promised to go forward from Shanghai by mail steamer, and by applying for His Majesty's parting instructions, on the 31st, enable himself to take leave of everybody, and get together his baggage, thus expediting his departure by one or two days.

There would be nothing, he stated, to delay him at Tientsin or Hong Kong; but at Shanghai arrangements about funds, and additions to his outfit, were matters which could not be neglected. He would, not, however, be retarded by any private affairs. He requested that this might be communicated to the British Minister, who might set his mind at rest.

The date of departure will certainly not be later than the end of the ninth moon (15th November).

Inclosure 4 in No. 16.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, October 28, 1876.

I HAD the honour to receive last evening your Imperial Highness's reply to my note of the 26th instant, assuring me that the Mission to England would certainly not leave Peking later than the end of the ninth moon (15th November), and that from Shanghai it would go forward by a mail steamer.

I shall inform the Earl of Derby, by telegraph, that I have received this assurance from your Imperial Highness, and I shall myself proceed to Shanghai on the 4th November, there to await his Lordship's instructions.

I notice the clerical error to which your Imperial Highness draws attention in my note of the 26th instant. The day mentioned, as your Imperial Highness observes, should have been the 26th, not the 25th of the moon. I shall take care that the mistake be not repeated.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 5 in No. 16.

Sir T. Wade to the Ministers of the Tsung-li Yamén.

(Semi-official.)

Peking, October 28, 1876.

THE Undersigned has the honour to acknowledge, with thanks, the semi-official note addressed him last evening by the Ministers of the Tsung-li Yamén.

As regards the journey of the Mission to England, the Undersigned has nothing to add to what has already been stated, first on the 24th, and again on the 26th instant, to their Excellencies, and to what was written in the note addressed by the Undersigned, on the 26th instant, to the Prince of Kung. The Undersigned will not trouble their Excellencies with a repetition of it. As he has had the honour this day to inform His Imperial Highness, the Undersigned proposes himself to proceed to Shanghae upon the 4th November. This is for the purpose of placing himself in communication with Her Majesty's Government. He will there await the Mission. On its arrival it will be his duty to give notice to the Government of Hong Kong that it is *en route*, to the end that when it reaches Her Majesty's Colony, on its way to England, it may be received with all proper attention.

(Signed) THOMAS FRANCIS WADE.

Inclosure 6 in No. 16.

Sir T. Wade to the Prince of Kung.

Sir,

Peking, October 31, 1876.

IN continuation of certain correspondence upon the subject of the Mission to England, I have the honour to state that I have this moment received a telegram by way of Kiachta, dated the 17th October, in which the Earl of Derby instructs me to state when it is possible that the Mission may arrive.

I conceive it my duty to inform your Imperial Highness of the question asked by Lord Derby. I shall be further obliged if I can be supplied with the names of the Secretaries and other persons who are to accompany their Excellencies Kuo and Liu.

I renew, &c.

(Signed) THOMAS FRANCIS WADE.

Inclosure 7 in No. 16.

The Ministers of the Yamén to Sir T. Wade.

(Semi-Official.)

(Translation.)

Peking, October 31, 1876.

THE Ministers received yesterday the British Minister's letter, stating that when the Mission arrives at Shanghae he will give notice to the Governor of Hong Kong of its approach, to the end that when it reaches the Colony it may be received with all proper attention.

His Excellency Kuo received His Majesty's parting instructions on the 31st October, and will be leaving in a very few days.

As the British Minister will be good enough to send notice to the Governor of Hong Kong in order that all attention may be shown to the Mission, the meeting, on His Excellency Kuo's arrival in Hong Kong, will be equally agreeable to His Excellency the Governor and his visitor, and friendly relations will thereby be improved.

The Ministers take this opportunity of expressing their thanks; and, in a separate note, are sending a list of the officials comprising the suite of the Mission.

No. 17.

Sir T. Wade to the Earl of Derby.—(Received January 19, 1877.)

My Lord,

Shanghae, November 23, 1876.

I HAVE the honour to inclose copy of a note I addressed the Prince of Kung on the 30th October, regarding the issue of the Proclamation which by the Agreement of the 13th September it was stipulated that the Chinese Government should cause to be posted

throughout the Empire. When at the Yamên on the 29th, I had drawn attention to the fact that it had not yet appeared in Peking.

I inclose copy of His Imperial Highness's reply, dated 31st October, assuring me that a Circular had been earlier sent to the provinces on the subject.

As I rode out of Peking on the 6th instant, I found that some copies had been posted on the walls. There were also some in the villages along the river. These, however, had been in some instances defaced. On arriving here I accordingly wrote once more to the Prince of Kung. This was on the 8th instant. I have since learned that the Proclamation is pretty generally posted in the neighbourhood of this city. I have instructed Her Majesty's Consuls in China to report to the Legation on the extent to which the promise of the Government is observed.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure 1 in No. 17.

Sir T. Wade to the Prince of Kung.

Sir,

October 30, 1876.

I HAVE the honour to recall to your Imperial Highness's recollection your note of the 25th September. The Proclamation inclosed in it does not appear to have been posted as yet in either of the metropolitan districts. I need scarcely impress upon your Imperial Highness the importance of taking steps to give immediate effect to the stipulation that this Proclamation should be posted throughout the Empire.

I renew, &c.
(Signed) THOMAS FRANCIS WADE,

Inclosure 2 in No. 17.

The Prince of Kung to Sir T. Wade.

(Translation.)

Peking, October 31, 1876.

THE Prince of Kung begs to acknowledge the British Minister's note of the 30th October last, having reference to the publication of the Proclamation as stipulated in the Agreement.

The Yamên had already circulated instructions, both in the capital and the provinces, to have the Proclamation printed and posted, and urgent orders are now again being sent calling upon the [responsible authorities] to take immediate steps in the matter.

The Proclamation has by this time, doubtless, been printed, both in Peking and the provinces, and its publication in every direction will, of course, immediately take place.

Kuang-Ssu, 2nd year, 9th moon, 15th day.

Inclosure 3 in No. 17.

Sir T. Wade to the Prince of Kung.

Sir,

Tien-tsin, November 8, 1876.

IT became my duty some days ago to draw the attention of the Ministers of the Tsung-li Yamên to the fact that the Proclamation referred to in Article 2 of the first section of the Agreement signed at Chefoo on the 13th September, had not as yet been posted even in the metropolitan districts. Their Excellencies promised that the local authorities should be called on to do their duty in this matter, and I have the honour to state that when, leaving Peking on the 6th instant, I found copies posted in a few places in the immediate vicinity of the capital and on the road to T'ungchow, also in T'ungchow and along the river. It was at the same time evident, I regret to say, that of the few copies posted a large proportion had been defaced. I can assure your Imperial Highness that I should be very glad not to have to notice things of the kind, but I should fail in my duty were I to pass them without remark. The circumstances which called for the publication of this paper render it imperative that the Chinese Government should do its utmost to secure the chief object of this Proclamation, the appreciation, that is to say, of the obligation of the people and authorities of China to respect the engagements accepted

by the Chinese Government under Treaty, adequately to protect the officials and subjects of foreign Powers when travelling in the interior of the Empire under passport.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 18.

Sir T. Wade to the Earl of Derby.—(Received January 19, 1877.)

My Lord,

Hong Kong, November 28, 1876.

ON arriving here I received letters from India, in one of which His Excellency the Viceroy informed me of the reinstatement of the authorities of Momein, earlier cashiered for their neglect of duty in the matter of the Yunnan outrage. I thought it advisable to address the Prince of Kung upon the subject; and I have the honour to inclose copy of my note to His Imperial Highness. I shall allow myself to add that the Chinese Government is not, in my opinion, to be left to suppose that this kind of faithlessness is unnoticed, without danger to friendly relations.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

Inclosure in No. 18.

Sir T. Wade to the Prince of Kung.

Sir;

Hong Kong, November 28, 1876.

I HAVE the honour to inform your Imperial Highness, that on my arrival here, I received a communication from the Viceroy of India, inclosing copy of a Report received from the British Resident at Mandalay; in which attention was directed to the fact that the two officials, Wu and Tsiang, who were but a short time since cashiered for their culpability in connection with the Yün Nan outrage, had been reinstated.

It may be thought, perhaps, singular that as I declined to allow punishment to be inflicted upon any of the persons whom the High Commissioner, Li-Han-Chang, had recommended should be punished, I should put forward the reinstatement of the officials above-named as matter of complaint. I do think it at the same time my duty to observe that their reinstatement will not fail to appear to Her Majesty's Government deserving of some remark.

In the Memorial of the Grand Secretary, Li-Hung-Chang, it is urged that these officers having been cashiered, punished that is; for their offence of commission or omission in the Yün Nan case, no further consideration of their delinquency is needed. Yet, while the Grand Secretary was writing these words, if not before he wrote them, the delinquents had not only been reinstated, but one of them had been honoured for service at the recapture of Momein.

I am quite aware that it is the usage in China to give officers who have been disgraced a chance of rehabilitating themselves; but where a crime has been committed of so grave a character as to imperil relations with a foreign Power, and where the Chinese Government has seen fit to connect officers of a certain rank with the commission of that crime, and to sentence them to loss of rank in consequence, a precipitate remission of the sentence cannot fail to produce a disadvantageous impression upon the Government outraged by the crime in question, and, indeed, upon all Governments.

This was eminently the case when the officials exiled for their action at the time of the Tientsin massacre were allowed to return to their homes after a brief term of banishment.

There may be certain difference between the circumstances of the two cases; but the principle involved is the same. In the readiness discovered by the Chinese Government to condone or forget the criminality of officials responsible for insult or injury offered or done to foreigners, the foreign Power aggrieved cannot avoid discerning the presence of that feeling to which insults or injuries are primarily due.

It gives me no pleasure to repeat matter so little agreeable to your Imperial Highness; but I believe it to be my duty to say what I have said. The arrangement effected by me at Chefoo is as yet but imperfectly known in England. Every incident connected with it will sooner or later be criticised; and the one excuse for the arrangement itself, which to many of my countrymen will appear insufficiently to guarantee the future, will be, that

in observance of its conditions, the Chinese Government is giving the Government of Her Majesty security against recurrence of acts which it is impossible for China to justify, or for foreign nations to leave unatoned for.

I should be sincerely gratified if this were to prove the last occasion on which remonstrance in this form had to be addressed to the Chinese Government.

I renew, &c.
(Signed) THOMAS FRANCIS WADE.

No. 19.

Consul Sir B. Robertson to Lord Tenterden.—(Received February 6, 1877.)

My Lord,

Canton, December 20, 1876.

I HAVE the honour to transmit a copy of a despatch I have addressed to Her Majesty's Chargé d'Affaires at Peking, with reference to a proclamation issued by the Viceroy of these provinces, in regard to the Yunnan affair.

I have, &c.
(Signed) B. ROBERTSON.

Inclosure 1 in No. 19.

Consul Sir B. Robertson to Mr. Fraser.

Sir,

December 20, 1876.

I HAVE the honour to transmit a translation of a proclamation issued by his Excellency Liu, Viceroy of these provinces, in accordance with the terms of the 2nd article of the Chefoo Agreement of the 13th September last.

A proclamation identically the same has been issued by Chang, the General in command of the Tartars, and both have been conspicuously posted up at the gates of the city, and the usual places where the Government notifications are exhibited.

After the lapse of a reasonable time, I shall direct an officer of this establishment to see that this has been done at Fatshan and other towns in the province.

I have, &c.
(Signed) B. ROBERTSON.

Inclosure 2 in No. 19.

Proclamation.

(Translation.)

LIU, a mandarin of the first class, President of the Board of War, Assistant Supervising Censor in the Board of Censorate, Viceroy of the Two Kuang, Superintendent of the provincial revenue, Commander-in-chief of the provincial forces, and a member of the Order of Patalu, hereby issues a proclamation for general information.

A despatch has been received from the Tsungli Yamên to the effect :—

“With regard to foreigners travelling for pleasure in the interior, all China's Treaties enact that, whenever a foreigner is provided with a passport countersealed by the Chinese local authorities to enable him to proceed to any spot, such passport shall be *viséd en route*, and the traveller allowed to proceed to his destination; that, should any offence be committed, the traveller should be handed to his nearest Consul for punishment, on his way to whom he may be held in custody, but not subjected to any ill-usage

The Yamên consider that all local officials should act in strict conformity with the Treaties.

In February of last year a British officer of the rank of interpreter named Margary requested and obtained a passport issued from Peking to enable him to proceed to Yunnan. On his return, just as he had arrived on the boundaries of Momein, he was most unfortunately murdered, whereupon an edict was issued, directing Li, the Viceroy of the Two Hu, to proceed to the spot to investigate the matter, and the Yamên addressed a Memorial to the Throne, in which they quoted the Treaties, and begged that orders might be issued on the subject throughout the Empire.

On the 20th October, 1875, the following Edict was issued :—

“The Tsung-li Yamên has memorialized us, quoting our Treaties with various foreign nations, and requesting us to direct that these Treaties be respected throughout the Empire. One of the points has reference to foreigners travelling for pleasure in the interior. All the Treaties lay down that they must apply for and obtain passports, which are to be countersealed by the Chinese authorities. Such passports to be produced to be *viséd*, as may be required, at the places passed through; the travellers then to be permitted to proceed on their journey. Should a breach of law be committed, the Treaties lay down that the offender shall be handed to his nearest Consul to be dealt with, *en route* to whom, he may be detained in custody, but not subjected to any ill-usage; that passports are only to be granted to persons of respectability and substance. The terms of the Treaties are plain and express; the local authorities can have no difficulty in acting upon their various clauses. Just now a British officer, of the rank of Interpreter, named Margary, has been murdered on the borders within the jurisdiction of Yünnan. We have accordingly deputed Li Han-chang to proceed to the spot to ascertain who committed the crime. It will hereafter be incumbent on the Viceroys and Governors of all the provinces of the Empire to insist on their subordinates making themselves acquainted with the spirit of the Treaties, so that when foreign travellers who are provided with passports come into their jurisdiction, the proper action laid down by Treaty may be strictly followed, so that the peace between China and foreign nations may not be endangered, and that malpractices may be prevented. Respect this.”

After the promulgation of the above Edict, in July of this year a further Edict was received, ordering Li, a member of the Grand Secretariat, and Viceroy of Chihli, to proceed to Chefoo, in the province of Shantung, to arrange with Sir Thomas Wade, Her Britannic Majesty's Minister, a settlement of the Margary case. Subsequently, the Viceroy of Chihli, Li, addressed a Memorial to the Throne, wherein he submitted the following observations :—

“In July 1874 Her Britannic Majesty's Minister at Peking stated that officers had been sent from India with directions to enter Yünnan by way of Burmah, and that the Minister had accordingly ordered an Interpreter, named Margary, to meet them; he, therefore, after consulting with the Tsung-li Yamên, requested that the usual passport, bearing the Yemên's seal, should be given to Mr. Margary; and that instructions should be issued to the authorities along the line of country to be traversed, and to the provincials of Yünnan on the subject. The British Minister stated that Mr. Margary had arrived safely in Burmah, having passed through Yünnan in January 1875, and had met the Indian officials, Colonel Horacé Browne and others, at Bhamo. He returned thence to Yünnan, and on the 22nd February, 1875, when at Manwyne, in the jurisdiction of Momein, he was suddenly murdered. On the 23rd February the progress of Colonel Browne and his party was resisted by armed men.

“In June the Imperial Commissioner, Viceroy of the Two Hu, Li Han-chang, proceeded to Yünnan to investigate the matter; a former Under-Secretary of State, the High Official Hsieh Huan, was by Imperial order joined to Li in the Commission, and Sir Thomas Wade attached to it the Honourable Mr. Grosvenor, Second Secretary of Legation, and other persons, who were to proceed to Yünnan to watch proceedings. In April 1876 Li Han-chang and his associates having completed their inquiries, addressed a Memorial to the Throne on the subject, in which they stated that Mr. Margary had been killed because some of the wild border brigands had demanded from him ‘black mail,’ which he refused to pay. They accordingly murdered him. The resistance offered to the follow-travellers of Mr. Margary was entirely owing to the unauthorized action of a man named Li Chên-kuo, formerly a Captain in the army of Nan-tien, but who has, or had, been cashiered. As the matter was one affecting foreign relations, Li Han-chang deprecated an immediate sentence being passed, and prayed the Court to order the Tsung-li Yamên to consult with the Board of Punishments as to the penalty to be inflicted. An Edict issued in compliance with this request was transmitted by the Tsung-li Yamên to Sir Thomas Wade, together with a copy of the Memorial of Li Han-chang and of the minutes of the proceedings and of various notes.

“It may be remarked that as the degraded officer Li Chên-kuo and the other persons accused confessed their crimes the proof is complete, and consequently, according to Chinese law, the accused ought to be convicted and sentenced: but Her Majesty's Minister handed in a Memorandum in which he stated that, after a careful consideration of the report of Mr. Grosvenor and his associate officers, he thought that the evidence taken by Li Han-chang, which criminated Li Chen-kuo and the other accused, though it might be sufficient according to Chinese law to convict and sentence the prisoners on, would not, according to English ideas of law and justice, be deemed as

convincing, and that if the prisoners were convicted and sentenced on such evidence England would not consider that the ends of justice had been met; more, he believed that such would tend to increase the feeling of distrust.

“In this case the persons who had been murdered or obstructed were British officers, and it was therefore considered a most grave offence against international law. Nevertheless, as he preferred security for the future to vengeance for the past, he would request that the persons imprisoned on account of this case should not be punished.

“Under these circumstances the Memorialist (Li Hung-chang) received an Edict ordering him to proceed to Chefoo to confer with Sir Thomas Wade.

“It appears that the laws of China and those of western nations are divergent, and that the modes of procedure are different, and that consequently it was necessary to devise some compromise which may meet the exigences of the situation, and be a satisfactory solution of the difficulty. The Memorialists would therefore submit that, with the exception of Chiang Tsung-han, Commander-in-chief of the Momein forces, and Wu Chi-hang, Vice-Prefect of Momein, who have already been degraded, and whose sentences need not be further considered, the other offenders, namely, the degraded Captain Li Chên-kuo, and the eleven Kakhyens, with Erh T'ung-wa, Latu, &c., might have bestowed upon them an imperial grace, not of right nor merit, but as deigning to accord the request of Her Majesty's Minister that they should not be convicted. This proposal the Memorialist humbly submits for the decision of the Throne.

“Further, it must be borne in mind that Mr. Margary was an officer commissioned by a Government on terms of amity with our own; that a passport was duly issued to him; consequently his murder, and the armed resistance made to the advance of the British officers associated with him, could not do otherwise than injure the *entente cordiale* between the two countries, and as the Imperial Court is exceedingly anxious to maintain friendly relations with foreign Powers, it will doubtless deeply regret and deplore the above circumstances (murder of Margary, &c.). The Memorialist would, therefore, beseech that an Edict should be promulgated which would dispel all causes of distrust between Chinese and foreigners.

“The Memorialist would further remark that various foreign nations have already entered into Treaties with China, which Treaties both parties ought scrupulously to observe. In October 1875 the Tsung-li Yamèn addressed a Memorial to the Throne, quoting the various clauses of the Treaties relative to the application for passports to enable the holder to travel for purposes of pleasure, and to the protection to be afforded them, and requesting that they might be published throughout the Empire in the form of an Edict, so that all officers should act in strict accordance with the spirit of the Treaties. The Memorialist would now beg that Imperial commands should be laid on the provincial authorities to rigidly obey the Decree of the 8th October, 1875, and again to urge on their subordinates the necessity of forwarding the Emperor's desire of maintaining cordial and friendly relations with foreign States, so that hereafter, when foreigners of various nationalities, holding passports, traversed their jurisdictions, and circumstances arose rendering the Treaty provisions applicable, the local authorities should treat them as directed by the Treaties, and should give them efficient protection, and that if the local authorities did not carry out their duty in a *bonâ fide* manner, and consequently any molestation, murder, or other serious event happened, the provincial officials of the locality should be held responsible. Further, that proclamations be issued in every prefecture and district throughout the Empire, so that all persons may understand the nature of the relations between China and foreign nations, and so that hereafter nothing untoward may occur.

“Should the Imperial Court deign to assent to this proposal, the Memorialist would finally suggest that the Tsung-li Yamèn should decide on the form of the proclamation to be issued, and should forward copies to the various provinces for the guidance of the local authorities, &c., &c.”

On September 17, 1876, the following Decree was issued:—

“Li Hung-chang has memorialised us that, in obedience to our Edict, he proceeded to Chefoo to concert with his Excellency the British Minister measures to be taken with regard to the Yünnan affair.

“The facts of the case are that a British officer of the rank of interpreter was some time ago murdered in Yünnan, on the borders of the jurisdiction of Momein, and that the military and civil officers in charge there were incapable of taking sufficient precautions to protect him, which it was undoubtedly their duty to do. By rights, therefore, they should be punished according to their criminality; but Li Hung-chang states in his Memorial that the British Minister, his Excellency Sir Thomas Wade, on the ground

that security for the future is preferable to revenge for the past, has requested that mercy and pardon may be granted to those implicated in the crime.

“We order that this request be complied with, and that, with the exception of Chiang Tsung-han, the military officer in command of the Momein forces, and of Wu Chi-liang, the civil officer bearing the rank of Superior Magistrate of Momein, who have already been cashiered, and whose sentences are not to be considered, the others implicated, namely, Captain Li Chên-kuo, and the eleven Kakhyens, Erh T'ung-wa, La-tu, &c., who ought by law to be punished, be granted, as an act of grace, a free pardon.

“It must, however, be borne in mind that Margary was an officer deputed by the British Government to proceed by way of Yünnan to Burmah, and that a passport was duly issued for his safe conduct on his voyage and on his return. He ought, therefore, to have been protected; but suddenly he was murdered, and the officers who accompanied him were forcibly resisted and prevented from prosecuting their journey. Such was directly contrary to [*lit.* destroyed or lost] the Court's desire of maintaining friendly relations. In future, Viceroys and Governors must pay implicit obedience to the Edict we issued on the 9th October last year, and must straitly enjoin on all their subordinates that hereafter when foreigners of any nationality are travelling in the interior with passports, it is absolutely necessary that they shall be well treated according to Treaty, and that they be properly protected. If, contrary to Treaty, they are ill-used, hurt, or killed, both the higher and lower officials of the province shall be deemed responsible.

“We have ordered the Tsung-li Yamên to draw out a Proclamation to be forwarded throughout the Empire, calling on all the Chinese authorities to study the Treaty, so that in future China may maintain peaceful foreign relations; that in any instance where foreign officials or non-officials may be injured, immediate steps be taken for the arrest of the guilty parties; that the matter be brought to a conclusion within a fixed date. No remissness nor delay may be allowed in future to lead to such a lamentable case as that of Mr. Margary, which has just now been concluded.

“With regard to the regulations under which trade on the borders of Yünnan is to be conducted, when the officer commissioned by the British Government shall have arrived on the spot, we order that the Viceroy of Yünnan and Kweichow, and the Governor of Yünnan, shall depute an officer of rank and talent to proceed to the borders of the province to concert with the British Commissioner such rules for conducting the trade as the circumstances of the case may render expedient, and to memorialize us as to the action taken. Respect this.”

In respectful obedience to this Decree, the T'sung-li Yamên forward a copy thereof to the Viceroy.

The Viceroy accordingly issues the above Proclamation for the information of the military and civilians. Hereafter, if you meet any foreigners holding passports travelling in the interior, you must act in strict accordance to the Imperial Edicts issued on the subject, and afford them every protection in order to preserve the *entente cordiale* and conform to the Treaties. Do not disobey, and thus avoid repenting when too late.

An important Proclamation.

No. 20.

Mr. Fraser to the Earl of Derby.—(Received February 10, 1877.)

(Extract.)

Peking, December 13, 1876.

IT will be well that I should report to your Lordship what progress has hitherto been made towards the fulfilment of the Agreement signed at Chefoo in September last by Sir Thomas Wade and the Grand Secretary Li Hung-chang.

In the first place, as I have had the honour to state in my despatch of the 9th instant, the indemnity of 200,000 taels has been paid and lodged in the Oriental Bank at Shanghai.

The Tsung-li Yamên has complied with Sir Thomas Wade's requisitions in the matter of Memorial, Imperial Decree, and Proclamations; these last have been posted with a proper conspicuousness in and about the capital and the ports of Tientsin and Chefoo. My information goes no further at present.

The mission of apology, under the Ministers Kuo Sung-tao and Liu Si-hung, was to leave Shanghai in the Peninsular and Oriental mail steamer of the 3rd ultimo. Your Lordship will doubtless have received information of its actual sailing from Mr. Medhurst, Her Majesty's Consul at that port. It will, indeed, have arrived in England before this despatch can reach your Lordship's hands.

The Tsung-li Yamên has instructed the authorities at the Treaty ports to define the limits of the foreign settlements, in agreement with the several Consuls, in order to give effect to Sir Thomas Wade's stipulations in regard to the prohibition of any levy of *li-kin* taxation upon foreign goods within their boundaries. The Yamên has also, as it informs me, given notice to the authorities at the ports to be opened to foreign trade, and at the places of call for steamers, that the places under their orders are to be so dealt with.

Sir Thomas Wade, before his departure, designated a number of gentlemen for the duty of examining and reporting upon the new ports, and directed Mr. Baber to hold himself in readiness to proceed to Chungking in Ssu-chuan, to remain there and examine the conditions of commerce, &c., in the province. A special passport, and a letter to the Taotai of Chungking, have been procured for him. I am to receive the Minister's final instructions, for my own guidance, from Hong Kong, and I shall do my best to carry out his wishes.

No. 21.

Mr. Fraser to the Earl of Derby.—(Received February 25, 1877.)

(Extract.)

Peking, December 22, 1876.

IN my despatch of the 13th instant I had the honour to inform your Lordship, in relating what steps had been already taken towards fulfilling the conditions of the Chefoo Agreement, that the Tsung-li Yamên had been requested to issue a passport for Mr. Baber to proceed to Chung-k'ing in Suchuan, and reside there, and a letter of introduction to the local authorities at that place, engaging them to afford him aid and protection.

I have now the honour to inclose a translation of the passport issued by the Yamên, which is entirely satisfactory in form, and of a letter addressed to the Taotai of Ch'ung-k'ing, the original of which I have already transmitted to Mr. Baber for his use.

He will be able, I hope, to start at the end of January, at the best season for his journey, and for any attempt to survey the upper part of the Yang-tze river. I have permitted him to take Lieutenant Gill, R.E., with him, under an ordinary passport, as a travelling companion.

Inclosure 1 in No. 21.

Passport issued to Mr. Baber.

(Translation.)

THE Yamên of Foreign Affairs of the Chinese Empire issues the following passport:—

A note has been received from the British Chargé d'Affaires, Mr. Fraser, referring to the communication made by the British Minister, Sir Thomas Wade, and the reply sent by the Yamên, with regard to the British officer, Mr. Baber, who is about to proceed to Ch'ung-k'ing, to take up his residence there, and stating that Mr. Baber will set out in the course of next month, most probably, on his way to Ch'ung-k'ing, viâ the Yang-tze, for which journey it is requested that he may be furnished with a passport to secure his protection.

On receipt of the foregoing the present passport is accordingly issued, and having been sent to the Governor of the Metropolitan District to be stamped with his seal, is now delivered to the British officer, Mr. Baber.

The officials of all localities along the line of his journey are hereby requested to afford him due attention and assistance at all places that he may visit, and to grant immediate passage on inspection, hereof without hindrance or obstruction.

Passport granted to the British officer, Pei Teh-juh (E. C. Baber).

Dated Kwang Sü, 2nd year, 10th moon.

Inclosure 2 in No. 21.

Despatch addressed by the Yamên of Foreign Affairs to the Taotai at Ch'ung K'ing, to be delivered to Mr. Baber.

(Translation.)

December 13, 1876.

THE Ministers of the Yamên received on the 11th instant a note from Mr. Fraser, the British Chargé d'Affaires at Peking, in which he states that a British official, Mr. Baber, is about to proceed to Ch'ung-k'ing to take up his residence there, and requests the Yamên to furnish a passport for Mr. Baber, and also a despatch addressed to the superior local authorities at Ch'ung-k'ing, informing them of this, which despatch should be forwarded to Mr. Baber, to be delivered by him to the official addressed.

On receipt of the foregoing, in addition to issuing a passport, which has been forwarded to be made use of, the Yamên now accordingly issues the present instruction to the Taotai at Ch'ung-k'ing. On Mr. Baber's arrival in Szechuen it will be the Taotai's duty to give orders to his subordinates to render such attention and assistance as may from time to time be needful.

No. 22.

Mr. Fraser to the Earl of Derby.—(Received February 25, 1877.)

My Lord,

Peking, December 22, 1876.

I HAVE the honour to inclose herewith a translation by Mr. Mayers of the Letter of apology, and at the same time Letter of Credence, which the Minister Kuo Sung-tao has been instructed to present to Her Majesty the Queen on behalf of the Emperor of China.

The Chinese copy from which this translation was made was communicated to this Legation in a note from the Yamên, dated the 11th of October last.

I have, &c.

(Signed) HUGH FRASER.

Inclosure in No. 22.

Letter of Apology from the Emperor of China, and Credentials of the Envoy Kuo Sung-tao, on his Mission to Great Britain, dated October 1876.

(Translation.)

THE Emperor of China salutes the Queen of England and Empress of India.

Having become inheritor of the great estate by the mandate of Heaven, and reverently continued the succession to our great estate, we have borne in affectionate remembrance the States in amity with us, and [have desired] to consolidate for ever relations of friendship and concord.

In the first moon of the first year of the reign Kwang Sü (February 1875), the official interpreter of your Majesty's Government, Ma Kia-li (Mr. Margary) by name, whilst travelling under passport from Burmah, and on having reached the frontier region of the Province of Yünnan, was murdered, and his companion, Colonel Browne, was attacked and driven back.

We made special appointment of Li Han-chang, Governor-General of the Hu Kwang provinces, to proceed to Yün Nan for the purpose of instituting inquiry and taking action in conformity with the principles of justice; and we furthermore issued a Decree enjoining upon the Governors-General and Governors of all the provinces that they should give instructions to all local authorities within their jurisdiction, to the effect that the provisions of the Treaties must be duly fulfilled with reference to all persons travelling under passport in the places under their authority.

Li Han-chang having completed his investigation, memorialized us, requesting that the military officer Li Chên-kwoh and others might be severally punished for their offences.

In the month of August last, we further specially appointed Li Hung-chang, a Senior Grand Secretary, Governor-General of the Province of Chihli, of the first class of the Third Order of Nobility, to proceed as High Minister Plenipotentiary to Chefoo, in the Province of Shantung, to act there with your Majesty's Special Envoy Wei Toma (Sir Thomas Wade) in arranging the terms of a settlement of this case. Li Hung-chang has memorialized us, in reply, stating that your Majesty's Envoy, Sir Thomas Wade, had

expressed the opinion that security for the future was to be preferred to punishment of the past; and we issued hereupon a special rescript in reply, according to the request that was made, granting, as an act of grace, remission of the penalties that had been incurred by Li Chên-kwoh and the others involved with him, and still further enjoining upon the high authorities of all the provinces implicit obedience to the commands of last year that protection should be afforded in conformity with the Treaty stipulations. We have also commanded the Yamên of Foreign Affairs to draw up a Proclamation and to forward a copy of the draft to each Provincial Government to be acted upon, to the end that tranquillity may prevail in the relations between China and foreigners.

That Mr. Margary, whilst travelling under passport within the frontier of Yünnan, should have lamentably been murdered, is a fact which not alone involves the question of a loss of life, but which also has gone near to disturb our relations of amity and concord. We profoundly regret and lament it. We have now made special appointment of Kwoh Sung-tao an acting Senior Vice-President of the Board of Ceremonies, and one of the Ministers of the Office of Foreign Affairs, as Envoy Extraordinary, to proceed to your Majesty's country to give utterance, on our behalf, to the sentiments we have at heart, as a proof of our genuine desire for amity and concord.

We know Kwoh Sung-tao to be an officer of capacity and experience, of loyalty and truthfulness, who is in disposition amicable and just, and far-reaching in intelligence. He has acquired great familiarity in the treatment of affairs between Chinese and foreign Powers. We would ask that sincere confidence be reposed in him, to the end that the blessings of friendly concord may for ever be experienced in the highest degree, and that all alike may enjoy the happiness of a state of peace.* This, we doubt not, will be greatly to the satisfaction [of your Majesty].

No. 23.

Mr. Fraser to the Earl of Derby.—(Received February 25, 1877.)

My Lord,

Peking, December 26, 1876.

I HAVE the honour to transmit, herewith, to your Lordship the copy of a note addressed by Sir Thomas Wade, when at Hong Kong, to the Prince of Kung to remonstrate against the re-employment of Tsiang Tsung Han and Wu Ki-liang, two officials in Momein in Yünnan, who had been deprived of both rank and office, because they were implicated in the murder of Mr. Margary and attack upon Colonel Browne's party, together with a translation of the Prince of Kung's reply, received within the last few days.

The report that these officials had been reinstated came through the Viceroy of India from the British Resident at Mandalay; and the Prince's explanation of the facts is as follows:—

During the progress of the inquiries into the Yünnan affair, and subsequently to the degradation of these two officers, a mutiny broke out among the local militia at Momein, and Tsiang Tsung Han and Wu Ki-liang were permitted, in accordance with recognized Chinese usage, to take part in its suppression, with the understanding that when this was effected they were to return to Yünnan for trial. In the consequent operations, which involved the capture of two towns, Momein itself and another, Tsiang Tsung Han so distinguished himself that the new Governor-General of Yünnan had suggested his restoration to his former rank. This suggestion, it had been replied, might be put forward again after the conclusion of the inquiry into Mr. Margary's murder.

With regard to Tsiang Tsung Han, the Prince of Kung declares, the matter still remains in that position; whilst of the rehabilitation of Wu Ki-liang there has not been, as yet, any question.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 1 in No. 23.

Sir T. Wade to the Prince of Kung, November 28, 1876.

[See Inclosure in No. 18.]

Inclosure 2 in No. 23.

The Prince of Kung to Mr. Fraser.

(Translation.)

Peking, December 19, 1876.

THE Prince has to acknowledge the receipt of Mr. Fraser's note of the 15th instant, giving cover to a despatch from Sir T. Wade, in which attention is drawn to statements respecting the late officials of T'êng-yueh T'ing (Momein), who, according to a Report received through the Viceroy of India from the British Resident at the Court of Mandalay, had been reinstated in office, &c.

The Prince has to state, in reply, that when, subsequently to the issue of a Rescript commanding that the two officials, Tsiang Tsung-han and Wu K'i-liang, should be stripped of their rank, in consequence of the Yünnan affair, an application was made to the Throne by the Governor-General and Governor of Yünnan, on the outbreak of disturbances on the part of the train-bands of T'êng-yueh, with the request that Tsiang Tsung-han and others might be commanded to proceed to the spot and join in the operations about to be undertaken, a Rescript was issued in reply, to the effect that Tsiang Tsung-han and Wu K'i-liang being officials awaiting summons to trial, they must be required to return to the provincial capital in readiness for trial so soon as the operations against the insurgents should have reached their conclusion.

In a Memorial subsequently received from the newly-appointed Governor-General of Yünnan and Kweichow Liu, and his colleague (the Provincial Governor), in which the attack upon, and capture of, the cities of Shunning and T'êng-yueh were reported, together with the destruction of the principal insurgent leaders, and the bestowal of rewards upon the officials who had distinguished themselves on this occasion was solicited, the request was submitted for consideration whether the penalty of deprivation of his rank which had been inflicted upon Tsiang Tsung-han might be remitted. In reply to this Memorial a Rescript was issued, directing that the Imperial commands should be further applied for, with reference to Tsiang Tsung-han, and when the affair of "Ma kia li" (the murder of Mr. Margary) should have been settled.

As matters stand at present, no Memorial has as yet been received from the high authorities of Yünnan submitting any application for a reward for his services to Tsiang Tsung-han; whilst, as regards Wu K'i-liang, there is no request in the Memorial on rewards presented by the high authorities in question for his reinstatement in official rank.

It is to be presumed, therefore, that the observations contained in Sir T. Wade's despatch, to the effect that the two officials in question had been honoured for their services even before the time at which the Grand Secretary Li's Memorial was presented to the Throne, was derived by the British Resident in Burma from hearsay alone, and cannot be accepted as a statement founded upon fact.

It is the Prince's duty to forward the present reply to Mr. Fraser, and to request that it may be communicated to Sir T. Wade.

Kuang Hsü, 2nd year, 11th moon, 4th day.

No. 24.

Mr. Fraser to the Earl of Derby.—(Received February 25, 1877.)

My Lord,

Peking, December 26, 1876.

I HAVE the honour to inclose herewith a copy of a despatch received two days since from Her Majesty's Consulate at Shanghai, informing me that the Proclamation stipulated for by Sir Thomas Wade in the Chefoo Agreement has been properly posted both in the foreign settlement and native town of Shanghai. Mr. Davenport was shortly to visit the principal towns in the neighbourhood of Shanghai, and Mr. Stronach those near Chinkiang, to see that it is duly published everywhere.

Mr. King, the Acting Consul at Kiukiang, having complained to me that the Proclamation had appeared at that place printed in characters too small to be clearly legible, as well as posted at a height above the ground calculated to add to the difficulty of deciphering it, I represented the matter to the Prince of Kung, who has assured me, in reply, that orders shall be sent to the Governor of the province of Kiangsi, to issue the Proclamation in a more satisfactory manner.

I have, &c.
(Signed) HUGH FRASER.

Inclosure in No. 24.

Consul Medhurst to Mr. Fraser.

Sir,

Shanghai, December 11, 1876.

IN pursuance of Sir T. Wade's Circular, dated 22nd ultimo, I beg to report that the Proclamation stipulated for in the Chefoo Agreement was duly posted in this Settlement and the neighbouring city on the 22nd ultimo.

Having heard nothing of the appearance of the Proclamation further inland, I last week determined upon deputing Mr. Vice-Consul Davenport to visit the principal centres of population and trade, in order to ascertain how far the wishes of the Minister had been carried out; and I gave notice, as instructed, to the Taotai of my intention so to do. The Taotai consented at once to give Mr. Davenport a special passport, but recommended that his visit should be delayed a fortnight, as it had been found impossible to supply the vast number of copies (3,000) required for posting in every town of the province, and he would not like to occasion unnecessary disappointment.

Mr. Stronach reports similarly from Chinkiang; that the authorities are willing he should visit the surrounding country, but beg for a little time to prevent misadventure.

I have, &c.
(Signed) W. H. MEDHURST.

No. 25.

Mr. Fraser to the Earl of Derby.—(Received February 25, 1877.)

My Lord,

Peking, December 27, 1876.

BEFORE dispatching the mail, it is right that I should transmit to your Lordship the inclosed copy of a despatch which has reached me this evening from Her Majesty's Consul at Tien-tsin, to inform me that Sir Thomas Wade's Proclamation has been posted throughout one of the northern districts of the Province of Shantung visited by missionaries attached to the English mission establishment at Tien-tsin. The district magistrate of Lao-ling seems to have been particularly courteous to the native agents of these gentlemen in the matter.

I have, &c.
(Signed) HUGH FRASER.

Inclosure in No. 25.

Consul Mongan to Mr. Fraser.

Sir,

Tien-tsin, December 20, 1876.

I HAVE just ascertained through the Rev. John Innocent, of the Methodist mission at Tien-tsin, that the Proclamation stipulated for in the Chefoo Agreement has been posted throughout the district of Lao-ling in Shantung, distant about 150 miles from Tien-tsin, and farther, that the Lao-ling Magistrate courteously sent a copy to the native assistant who is in charge of a station belonging to the mission in the same district, to be posted on the chapel wall, or otherwise used as he might deem best.

The messenger who brought the letter containing this information reports that he noticed himself that the Proclamation was posted in all the market towns and cities through which he passed on his way to Tien-tsin.

I have, &c.
(Signed) J. MONGAN.

No. 26.

Mr. Fraser to the Earl of Derby.—(Received March 12.)

My Lord,

Peking, January 10, 1877.

I AM glad to be able to bring to your Lordship's notice an instance of official courtesy towards Great Britain hitherto unprecedented, which seems to show that the

Chinese Government has at length become persuaded of the expediency of acknowledging, formally and in its own interior, the right of foreign States to respectful recognition as independent friendly Powers.

I have the honour to inclose herewith a translation of the "Peking Gazette" of the 7th ultimo, together with a Memorandum upon it by Mr. Mayers. It happens to mention a British Consular officer, and in doing so raises the characters expressing his nationality and quality above the level of the text in a manner indicating a high degree of respect.

We have so often been compelled to protest, whenever mention of Great Britain or her Representatives has been made in the "Peking Gazette," against the disparaging and uncourteous form in which it has been done, and with intention, that I cannot pass by the first voluntary civility of this nature in silence.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 1 in No. 26.

Extract from the "Peking Gazette."

(Translation.)

TING PAO-CHENG, Governor of Shantung, memorializes, reporting that certain Liu Ch'iuans, who had suffered shipwreck, had been taken care of, and forwarded by steamer to the Province of Fukien, to be thence in due course sent back to their native country.

Your servant would humbly state that he has received a communication from Kung Yi-t'u, Taotai and Superintendent of Customs at Chefoo, stating that on the 22nd of the 9th month (November 7) he had received a note from the British Consul, Mr. Jamieson, to the following effect:—

A British sailing vessel, whilst on her voyage from Swatow to Chefoo, had fallen in at sea with eight persons of various ages, natives of Liu Ch'iu, who had met with shipwreck. The vessel took them on board and carried them on to Chefoo, where, under the Consul's instructions, the sailors had provided them with clothes. He now forwarded them to the Taotai to be taken care of, stating, in addition, that the distressed people in question had nothing with them but 17,700 cash of Japanese currency, which he forwarded at the same time with the people themselves.

The Taotai forthwith supplied what clothing was requisite, and gave instructions that the people should be handed over to the Magistrate of the district of Fu-Shan, whose investigation elicited the following facts:—

The eight distressed people in question, who had long hair twisted into a top-knot, were truly natives of Liu Ch'iu, of whom three were aged fifty years or more, two were aged twenty or more, and three aged ten or more. When questioned as to their place of abode, their names, their business, and the manner in which they came to be shipwrecked, it was found that none of them understood Chinese, nor, when given paper and pencil, could any of them write Chinese characters. There were, therefore, no means of taking their evidence. Moreover, there is no one in the province who understands the Liu Ch'iu language, and there were, therefore, no means of interpreting. The magistrate forthwith restored to them their Japanese cash in full, and assigned them a place of abode, where they were taken proper care of.

Now hitherto, when any natives of Liu-Ch'iu, who have suffered stress of weather, have found their way to Shantung, it has been customary for the local officials to make report and to send them on to Fukien, from thence to be sent back, at a convenient opportunity, to their homes. In the present case the distressed people have no vessel of their own, and if they were to be sent by land to Fukien, the journey would be very long. There is, however, the steamer "Wan-nien-ch'ing," which, at the end of the year, is to return to Fukien for repairs at the arsenal, and the Taotai begs to be instructed whether or not he should hand over the people to the officer in charge, to be sent on to Fukien.

Your servant would observe that Liu-ch'iuans who have been shipwrecked ought, according to custom, to be sent to Fukien, to be sent back to their homes at a convenient opportunity; and, in the present case, as the distressed people in question, who have been saved from shipwreck on the high seas and taken to Chefoo, do none of them understand the Chinese language or character, and as, moreover, there is no one in the province who is acquainted with the Liu-ch'iu language, there are no means of interpreting or interrogating. The vessel belonging to them, also, has been destroyed and lost; but an opportunity is now offered by the return of the steamer "Wan-nien-ch'ing" to Fukien,

and instructions should be forthwith given to this vessel to convey them to Fukien, where the authorities of the provincial capital can interpret their evidence, and investigate the matter, and send them back to their country when a convenient opportunity shall occur. By this more satisfactory and expeditious process, your servants, looking up, will be able to further the extreme desire of their sacred master to deal tenderly with men from afar.

Your servant has written, in reply, directing the Taotai to take action accordingly, and, moreover, bidding him to show increased care, according to law, to make out a record of the case and report his expenditure. Your servant has also written to the Board of Rites, and to the Governor-General and Governor of Fukien, for their information. In addition to this he has respectfully prepared this Memorial setting forth the circumstances of the Liu-ch'iuans who were driven by stress of weather to Shantung, where they were taken care of, and were forwarded by steamer to Fukien, to be sent on, at a convenient opportunity, to their country. Prostrate, he beseeches the sacred glance thereon of their Majesties and Empresses and of His Majesty, and that instructions may be issued to him.

The Grand Council have received the following prescript: It is noted.

Inclosure 2 in No. 26.

Memorandum on a recent Mention of the British Government in the "Peking Gazette."

Peking, January 9, 1877.

The "Peking Gazette" of the 7th instant contains a Memorial from the Governor of the Province of Shantung, reporting, according to regulation, the steps taken in forwarding to Foochow for shipment to their native country certain distressed Liu-ch'iuans, who had been picked up at sea. The peculiarity which makes this Memorial worthy of note is that it quotes a letter addressed by the Acting British Consul at Chefoo, through whose hands the distressed Liu-ch'iuans passed, to the Taotai at that port, and that the Chinese characters signifying "Consul of the British Government" are elevated, with an almost uncalled-for degree of typographical respect, to the head of the vertical column.

This is the first occasion on which, in the printed Official Gazette, any such regard for international courtesy has been shown in documents printed otherwise than at the instance of the British Minister. It is symptomatic of instructions requiring a more general attention than has heretofore been given to this particular.

(Signed) W. F. MAYERS, *Chinese Secretary.*

No. 27.

Mr. Fraser to the Earl of Derby.—(Received March 12.)

My Lord,

Peking, January 10, 1877.

IT has been the custom hitherto for the Ministers of the Tsungli Yamên only to pay visits of compliment to the foreign Representatives at the new year. Last year, for the first time, when these visits were returned at the Chinese new year, a number of Presidents and Vice-Presidents of different departments of the Government were brought together to meet the foreign Ministers at the Yamên unexpectedly, and without any warning, and these officials afterwards exchanged visits with the foreigners, contenting themselves for the most part with leaving cards at the gates of the several Legations.

This year, however, they have taken a slight step in advance. Three parties of Chinese high officials have visited each of the foreign Legations in turn, on three successive days, the 8th, 9th, and 10th, to offer their new year's congratulations. I add a list of their names and offices.

On the 8th of January came—The Prince of Kung; the Grand Secretary Pao-yün; the Minister Mao-Chang-hsi; Pêng Kiu-yü, second Vice-President of the Board of Civil Office; Tsai-ling, Senior President, Board of Revenue; Yung-luh, first Vice-President and Lieutenant-General of Gendarmerie; Yin Chao-yung, second Vice-President; Ch'ing Shêng, third Vice-President; Wêng Tung-ho, fourth Vice-President.

On the 9th—Shên Kuei-fên, Tung Sün, Hia Kia-hao, Ministers of the Tsungli Yamên; Kwang Shou, President of the Board of War; Ling Kuei, Wan Ts'ing-li, Presidents of the Board of Ceremonies; Sang Ch'en-yung, Tsao-pao, Presidents of the Board of Punishments; Hia T'ung shen, U-la-hi-tsung-a, Vice-Presidents of the Board of

War; Mien-yi, Ts'üan-king, Vice-Presidents of the Board of Ceremonies; Yüan Pao-hêng, Shao Chi, Lin-Shu, Ts'ien Pao-lien, Vice-Presidents of the Board of Punishments; T'ung-hua, Ch'ang-sü, Vice-Presidents of the Censorate.

On the 10th—Li-hung Tsao, King-lien, Ch'êng-lin, Ministers of the Yamên; Ku'eiling, President of the Board of Works; Ho-shou-tsze, President of the Censorate; I-chên, Vice-President of the Board of Works; Kuei-jun, T'ang Yên-shên, Vice-Presidents of the Censorate; Kuei-tsüan, Vice-President of the Mongolian Superintendency.

The visits will be returned at the Chinese new year, when all the officials will again be assembled to meet the foreign Representatives at the Tsungli Yamên.

I have, &c.

(Signed) HUGH FRASER.

No. 28.

Mr. Fraser to the Earl of Derby.—(Received March 26.)

My Lord,

Peking, January 23, 1877.

EACH mail that has arrived from the south, since the date of the last despatches (26th and 28th December, 1876), in which I forwarded to your Lordship news of the publication in different parts of China of the Proclamation issued in fulfilment of the Chefoo Agreement, has brought me accounts from the more distant Consulates of what the authorities of their districts have done in the matter. Mr. Hughes, Her Majesty's Consul at Hankow, informs me that there has been some delay and hesitation in issuing the Proclamation at Hankow, and it was not until after he had remonstrated officially upon the subject that a few copies, very widely scattered, were posted in the three divisions of the town—Hankow, Hanyang, and Wuch'ang, and a few additional copies given to him for the use of certain English missionaries. The two provinces of which Hankow is the centre, Hupeh and Hunan, are very national and anti-foreign in feeling; inflammatory papers denouncing the Chefoo Agreement, and protesting against any intrusion of the barbarians, have been actively circulated amongst the graduates of Hunan, a province with a very narrow line of frontier upon the Yang-tze, which has not yet been threatened with any such intrusion. Kuo Sung-tao, the Emperor's Envoy to England, is a native of Hunan, and much indignation is said to have been expressed by the gentry there at his having accepted the Mission.

At Shanghai, Mr. Medhurst had sent his Vice-Consul, Mr. Davenport, upon a visit to the towns adjoining to report upon the posting of the Proclamation. Mr. Davenport had returned to report that he had found it properly posted in public places inside and around the cities of Changchow, Soochow, Ta-tsang, Wusieh, and Kuênshan. About twenty copies had been sent to each magistrate, and the greater part were perfectly intact, having been posted on wooden boards, which were taken down, and carried within doors every evening.

From Ningpo I am informed that the Proclamation has been properly published, both at Ningpo itself at the town of Shao-hsing. Mr. Warren, an Assistant acting as Interpreter there, had been sent on a visit through the southern part of the province of Chekiang, but had not yet returned.

At Foochow, Mr. Pedder has been informed by Ting Futai that the Proclamation would be generally published throughout the province of Fuhkien by the end of December.

At Amoy and Swatow, which are not capitals of provinces, the Proclamation has not yet appeared. At Canton, on the contrary, two Proclamations, identical in terms, have been issued and posted at the gates of the city and the usual places of publication for Government notifications.

Sir D. B. Robertson will, after the lapse of a reasonable time, direct an officer of his Consulate to see that this has been done elsewhere within the province.

I have, &c.

(Signed) HUGH FRASER.

No. 29.

Mr. Fraser to the Earl of Derby.—(Received April 21.)

My Lord,

Peking, February 16, 1877.

I HAVE the honour to transmit herewith the copy of a report of a journey which Mr. Warren, who is acting as interpreter to the Ningpo Consulate, has made, by the

direction of Mr. Cooper, the Acting Consul at that port, for the purpose of observing whether the Proclamations issued in pursuance of the Chefoo Agreement had been properly posted in the interior of the Province of Chekiang, one of the richest and most beautiful districts of China.

Mr. Warren seems to have travelled over no less a distance than 900 miles in the six weeks occupied by his journey. He has gained a great deal of valuable information about the country through which he passed and the towns which he visited, and has set it down in a clear and concise form.

His account of Wênchou, one of the ports to be opened this spring, is especially interesting at this moment, and his remarks upon the choice of a site for a British Settlement there well deserve attention.

Mr. Warren's journey may fairly be considered to have been performed to very good purpose, and I am glad to be able to bring it to your Lordship's notice.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 1 in No. 29.

Mr. Warren to Mr. Cooper.

Sir,

Ningpo, January 20, 1877.

IN obedience to the instructions contained in your despatch of the 8th December last, directing me to visit the six southern Prefectures of the Chêkiang Province, in order to ascertain whether the Proclamation issued by the Governor of the province on the 13th November, relating to the Yünnan difficulties, had been duly posted, I left Ningpo on the 12th ultimo with the intention of proceeding by the high road of the province to Wên-chow, and thence to Ch'u-chou-fu, Chin-kua-fu, Chin-chow-fu, and Yen-chow-fu, returning to Ningpo by the way of Hang-chow and Shao-king.

At noon on the 13th, I reached the district city of Feng-hua, distant by river from Ningpo about 110 li, or 33 miles, and ascertained that the Proclamation had been duly posted throughout the city and district on or about the 3rd of the same month.

Feng-hua is a small walled city situated in the Ningpo Prefecture. The population is about 75,000; it is a market town, but not a very stirring place; a small quantity of piece goods is obtained from Ningpo for the supply of the town and surrounding country, and this, with a little opium, seems to be the only foreign import in demand.

Leaving Feng-hua on the 14th, I proceeded by land, the water communication ceasing there, and about three miles from Feng-hua, passed through a village called Shang-tien-fan, on the main southern road, where I found that a copy of the Proclamation had been posted on the previous day, as also at Fang-men, another village a little further on. Towards evening I crossed a small mountain pass, or "ling," which divides the Ningpo and Tai-chow Prefectures, and arrived at Si-tien, a fair-sized village, where the day's journey terminated. The way so far led through a fertile valley, with hills on either side, which in some parts are terraced and planted, the principal crops being wheat and rice.

On the following day the road passed round the head of Nimrod Sound, thence through a long and narrow valley across another pass into the Ninghai plain. In this plain, which is extremely fertile, a large quantity of poppy is grown, but at the present season the poppy crop has been gathered in, and the ground is sown with wheat.

I reached Ninghai the same evening, and sent to announce my arrival to the Chih-hsien, but found that he was not in the city, having been called away on account of some trouble at a salt barrier a few miles from the town. I found that the Proclamation had been posted in various places in the city and district, for which *vide* list attached.

Ninghai is a city of about 70,000 inhabitants. The chief trade is paper, of which large quantities are sent to Ningpo for export. Opium smoking is very prevalent; it is calculated that at least 30 per cent. of the entire population are habitual smokers. Poppy is grown on about one-third of the entire cultivated ground of the district. A "mow" of land yields an annual return of about 25 dollars, rather more than double the yield of a good crop of wheat. Nearly the whole quantity of opium produced is consumed on the spot, a very little being sent to Ningpo. Indian opium is almost unknown, only the wealthy, who are few in number, being able to afford it.

On Saturday, the 16th, I left Ninghai, and shortly afterwards passed through Heng-tu, a large village, where I found that the Proclamation had been posted on the 15th. Some fourteen miles from Ninghai I left the main road, and branched off towards the T'ien-t'ai district. The way leads through fertile valleys, varied by an occasional climb over long and steep mountain passes, the hills getting gradually higher as we neared T'ien-t'ai. We stopped for the night at the top of the pass over the range which marks the boundary of the Ninghai and T'ien-t'ai districts, about twenty miles from the district cities of either.

On the 17th I proceeded through a succession of mountain gorges and over high passes to T'ien-t'ai, where I arrived the same evening. The hills in this part of the country are either thickly wooded, chiefly with pine, or terraced and cultivated to the summits. On the road I passed through one village only of any size, Fei-shu by name, and here the Proclamation was not posted, the reason assigned was that it is off the main road.

On entering T'ien-t'ai by the east gate, I observed that the copy of the Proclamation which had been posted there was already half destroyed, seemingly by the weather. I called the attention of the Magistrate to the state in which it was, and inquired what steps he proposed taking to ensure the preservation and the constant posting of the Proclamation during the term stipulated for by the Chefoo Convention. He informed me that instructions had been received from Hangchow that the Proclamation was to be pasted on boards and varnished; that one copy was to be preserved in the archives, in order that fresh copies might be taken from time to time as required to supply the places of those worn out or destroyed; also, that as the present size of the Proclamation is inconveniently large for small villages, where there is sometimes difficulty in finding a fit wall on which to post it, smaller copies were to be made for this purpose, the large ones being reserved for places of more importance. I may here remark that these are the orders received and the steps that have been taken in all the districts that I have visited.

The city of T'ien-t'ai is distant from Ningpo about 120 miles. It is situated on the banks of the river, at this point a little more than a mountain stream, which, after a south-east course of some 80 miles, flows into the sea close to Haimen.

The district is a poor one, being entirely amongst the hills, which, although they are cultivated, produce little more than is required for the necessities of the district itself; the only products not consumed on the spot are vegetable tallow and a small quantity of green tea and indigo, which find a market at Ningpo and other large towns of the province.

This vegetable tallow is largely produced both in the Ninghai and T'ien-t'ai districts; the quantity obtained annually from one three is said to be on an average equal in value to 1,000 cash, or very nearly 1 dollar, and the tallow produced is worth about 15 dollars per picul.

Three miles south of the city are some extensive stone quarries, from which is obtained a very fine sort of limestone, superior in quality to that found in the neighbourhood of Ningpo. Owing, however, to the difficulty of transport, this stone is only used within a radius of fifteen miles from the spot where it is quarried; most of the houses in the town are partially built of it, as it is cheaper than either brick or timber. I saw some slabs 10 feet square and 4 inches thick, the cost of which would be about 1,000 cash apiece.

A large quantity of iron-dust is found amongst the sand brought down by the mountain streams. This dust, after having been separated from the sand by washing, is melted down into pigs and slabs and sent to the iron foundries at Ninghai, Ningpo, and Chin-hua: the iron thus produced is said to be of very fair quality.

The population of T'ien-t'ai is about 80,000, of whom 40 per cent. are confirmed opium smokers. Here, again, Indian opium is very little used, and, as the poppy does not seem to flourish in the hill soil, the supply of drug is obtained from the Tai-chow district. The country people are a turbulent and determined race, and are constantly giving trouble; they did good service, however, during the Taiping rebellion. When the rebels advanced against the town they threw themselves into it and defended it with such determination that the Tai-pings never succeeded in effecting an entrance, and T'ien-t'ai has the honour of being one amongst the few cities in this part of the country that escaped capture and semi-destruction.

Some distance east of the town is a famous Buddhist monastery much frequented by pilgrims. The monastery is built on a high hill known as the T'ien-t'ai Shan, and is supposed to have been founded about A.D. 300. Some curious old Sanscrit manuscripts, written on palm leaves, originally brought from India, are kept here, but it is difficult to

obtain a sight of them. The place swarms with priests, who have a good deal of power and influence. Amongst other privileges they are allowed to take a spoonful from every basket of salt passing through the town, or they may demand a cash instead.

Monday 18th.—I left T'ien-t'ai and proceeded down the stream towards T'ai-chow-fu. Owing to the lowness of the water and the number of rapids, progress was very slow, and I did not reach T'ai-chow until late the following evening, the distance traversed being forty miles. There appeared to be very little traffic on the river, only a few boats going up with tallow and grain destined for Hang-chow, one of the main roads to which city passes near T'ien-t'ai.

At Tai-chow-fu I called upon the Prefect and Hsien, and ascertained that the Proclamation was properly posted, and that the orders received from Hang-chow as to its preservation, &c., had been duly acted upon. In the course of conversation the Prefect expressed his astonishment at there being any doubt as to the willingness of the Chinese authorities to post the Proclamation, assuring me that, in his opinion, the questions in dispute had been so admirably settled by Sir T. Wade and Li Hung-chang that he was only too delighted to give all publicity to the arrangement come to.

Tai-chow is on the left bank of the river, and the natural advantages of position make it apparently a very strong city. Notwithstanding this, the rebels succeeded in capturing it, and although they were unable to hold it for more than a few days, the town still shows traces of their presence in it. The population is estimated at 120,000, and this being the very heart of the poppy-growing country, the average number of smokers is said to be very great, as high as 50 per cent. Attempted suicide by opium-eating is very common; during the past year ninety cases have been treated, in most instances successfully, by members of the China Inland Mission stationed here. Junks drawing six to seven feet of water can get up as high as the city, but there is no trade of importance; some tea and iron-dust, as at T'ien-t'ai; indeed, the hills throughout this part of the province appear to be rich in iron-dust; no attempt at mining has ever been made.

I left Tai-chow on the 20th, and dropped down the river with the ebb tide for a distance of thirty miles, and then turned into a branch which flows to the southward. Proceeding along this branch about ten miles I reached Huang-yen at noon on the 21st.

Huang-yen is a place of some little importance, has a population of about 90,000, and is the market town for the surrounding country. The river is navigable up to and beyond the town for junks of a very fair size, and is tidal as far as Chiao-chi, a large market town about twenty-five miles above Huang-yen.

The Chih-hsien insisted upon calling on me, which was somewhat inconvenient, as my boat was a small one. He explained that the Proclamations had not yet been posted in his district because the copies of it had only been received two days previously, that the boards were in course of preparation, and the Proclamation would be posted as soon as these were ready.

On leaving Huang-yen, I had intended to have visited Hai-men, the military station at the mouth of the Tai-chow river, but was prevented by the state of the tide, unless by incurring a delay of two days at least. I therefore proceeded by canal towards the Tai-ping district, and about ten miles from Huang-yen passed through Lu-chiao, a market town of very considerable importance, the centre of trade in fact of this part of the district. The chief exports are oranges, bamboo-shoots, and some green tea. Considerable quantities of piece goods are obtained from Ningpo for the supply of the surrounding country.

At daylight on the 22nd I reached Tai-p'ing-hsien, a small but thickly-populated town, having good water communication with Huang-yen, Lu-chiao, Hai-men, and Wên-chow. The trade is not great. Piece goods are obtained overland from Ningpo, the carriage of which is 20 cash per catty, whilst the carriage from Wên-chow is about 6 cash; the dealers are anxiously awaiting the opening of the port that they may obtain their supplies from thence.

The poppy is very largely cultivated in the T'ai-p'ing district, and 40 per cent. of the population are habitual smokers; very little Indian opium is imported. A good deal of tea, said to be of superior quality, is sent to Ningpo and Su-chau.

I found that the Proclamation was properly posted both in the city and that part of the district which I passed through.

From T'ai-p'ing I walked over the hills to Chiang-hsia, where I hired a fishing-boat and started across the Wen-chow Bay up the River Ou to Wen-chow, arriving there at noon on the 23rd. The same afternoon I called on the Taotai, Prefect, and Chih-hsien, who returned my visit the following day. I found that the Proclamation was posted at all the Yamêns, and generally throughout the city. I was informed by Mr. Stott, a

British missionary, who has been for some years resident at Wen-chow, that, for many months previous to the settlement of affairs at Chefoo, very strong feeling had been manifested against foreigners at Wen-chow; but that, since the publishing of the Convention, and more especially since the posting of the Proclamation, he has observed a marked difference in the behaviour of the people, and he is now able to go about his work both in the city and surrounding country without being in any way molested or insulted.

The officials seemed much pleased at the proposed opening of the port to foreign trade, and appeared anxious that there should be as little delay as possible, otherwise they feared it would be too late to settle any contracts for the coming tea season.

Wen-chow, situated on the right bank of the River Ou, twenty miles from the mouth, is a fine city, with good broad streets, well paved and drained, and is intersected with a perfect network of canals, which tends greatly to facilitate traffic. The shops are good, and the people appear very flourishing. Population about 400,000.

The river can be entered at all times of the tide, and is navigable for vessels of heavy draught as far as Chuang-yuen-chiao, ten miles below the city, where there is good anchorage, with twenty to thirty feet of water at low tide, and a rise and fall of about twelve feet. Beyond this the river is not navigable for vessels of any size, being full of sandbanks, the water very shoal, and such channels as exist being too narrow to be available for large vessels even at high water.

Chuang-yuen-chiao is beyond all comparison the most suitable spot for a foreign Settlement; it has but one drawback, its distance from the city.

There is a large extent of ground stretching back from the right bank of the river for a considerable distance. This land, at present under cultivation, has very few buildings upon it, and could doubtless be obtained at a reasonable price. The communication with the town is excellent; with a fair tide, the distance, ten miles by river, can be accomplished in less than two hours, there is further a good road along the bank, and behind this a very broad canal which leads from the anchorage right into the city. The canal is at some places separated from the river by a distance of some 60 or 70 feet only, so that in the event of drought it could easily be replenished by means of a sluice or a simple trench. Though the inconvenience of having a Settlement so far from the city is doubtless great, still it is considerably lessened by these facilities of transport.

On the other hand, the officials and merchants of Wen-chow are extremely anxious that the future settlement should be established a short distance outside the east gate of the city, and it is rumoured that, taking it for granted that this will be the spot selected, the Taotai, in conjunction with one of the chief merchants of the place, has already bought up a considerable portion of the available building land in the hope of making a profit by the sale of it to foreigners.

The sole advantage of this site is its proximity to the city and to the official yamens and mercantile hong; beyond this there is little to be said in favour of it. The ground is low, and there is no possibility of anything larger than a cargo-boat being able to come so far up the river, for though at high tides there are fifteen feet of water in the channel which runs along the front of the proposed site, at low water there are barely three feet. The ground is all under cultivation, scarcely built upon in any part, and could in all probability be obtained without difficulty, especially as the Chinese officials have a direct interest in it.

It is confidently anticipated by the Wen-chow merchants that on the opening of the port a very considerable trade will be established. From the Peh-ling district in Fukien about 200,000 piculs of tea are yearly carried overland ten days' journey to Foochow. Wen-chow being only three days from the district in which this tea is produced, it is evident that the difference in cost of transport will enable the tea to be laid down there at a less cost than at Foochow, and it may reasonably be supposed that in future it will be brought to Wen-chow.

About 100,000 piculs of tea are annually produced in the Ping-yang district, and a considerable amount of green tea is grown in the Tai-chow Prefecture, all of which, it is expected, will now find a market at Wen-chow instead of as formerly at Ningpo.

The export of timber, principally pine, as at Foochow, is very large, the yearly value of the trade being about 2,000,000 dollars.

Alum mines are worked in the Ping-yang district, and are said to yield an inexhaustible supply.

In the southern portion of the Wen-chow Prefecture are some rather extensive iron mines, from which iron of very good quality is obtained.

Large quantities of oranges are exported, chiefly to Tien-tsin and the north.

Throughout the whole of the Tai-chow and Wen-chow Prefecture the poppy is largely grown and opium generally smoked. These two districts supply all the southern part of the province with drug known as tai-chiang, and the demand for Indian opium throughout this region is very small. The native drug is sold at 1 dollar per 4 ounces, or about 250 dollars per picul.

There is at the present time a considerable trade in piece goods at Wen-chow, and the demand is said to be increasing. Supplies are obtained overland from Ningpo, and the annual value of the trade is estimated at 1,000,000 dollars.

Raw silk is obtained from the north of the province and manufactured at Wen-chow both for local consumption and for exportation. Paper forms also an important item in the export trade.

South of Wen-chow are two large and important towns, Ping-yang, Jui-an; these towns I was prevented visiting by want of time, but I ascertained that the Proclamation had been duly posted there.

On Wednesday, December 27, I left Wen-chow and proceeded up the river, arriving the same evening at Heng-chi, a distance of thirty miles from Wen-chow, where the river ceases to be tidal, and the rapids commence.

The following day I reached the small town of Ching-tien, where I found the Proclamation had been posted. Ching-tien is an unimportant town, with little or no trade; it suffered considerably from the floods caused by the rising of the river during the summer months.

Larger rafts of timber on their way to Wen-chow were coming down stream, and boats loaded with salt, lime, &c., going up, but the traffic is on the whole but slight.

On the 30th I arrived at Ch'u-chow-fu, a small prefectural city, distant ninety miles from Wen-chow; the Prefect and Chih-hsien were away, but I found all satisfactory as regards the Proclamation.

December 31.—I started overland for Chin-hua-foo, a distance of 100 miles. The road lies over a high range of hills, and through rather a poor country; indeed, this hill country is the poorest part of the province, and is very thinly populated. On the way to Chin-hua, I passed through the towns of Tsin-yun and Yung-kang. Neither of them are places of any importance. The road is the great highway to the provincial capital, and I found the Proclamation posted at every village and resting-place about it.

On the evening of January 4 I found myself at Chin-hua, and, after interchanging visits with the officials, proceeded the following day to Lan-chi, there being nothing in Chin-hua to induce a longer stay; it is a wretchedly poor place, and the district produces little except a small quantity of green tea and some indigo.

January 5.—Arrived at Lan-chi, the largest and most important town in this district. The town is situated at the junction of the Chien-tang (the Hang-chow River) and the Chin-chow River, and is the distributing mart for the whole surrounding country. Piece goods, opium, &c., intended for the supply of the Chin-hua, Chu-chow, and Yen-chow Prefectures, are in the first instance brought down to Lan-chi from Ningpo. The population is calculated at about 200,000, but, as the boat population is very large, it is difficult to estimate it with any certainty.

January 6.—I started up the Chin-chow River. The country which the river runs through is apparently a dead level, but actually there is a gradual rise, and the number of rapids in the stream cause great delay and difficulty; at some of the rapids we were detained two hours or more, waiting for other boats to pass up or down. On the way I called at the small Hsien city of Lung-yu, 30 miles from Lan-chi, and on the 7th arrived at Chin-chow-fu.

Chin-chow-fu is a small, but thickly populated town. The Taotai of the Chin-hua, Chin-chow, and Yen-chow Circuit lives here, instead of, as formerly, at Chin-hua. There is little or no trade; indeed, all this part of the country appears to have suffered so severely from the rebels, that it has not yet recovered; scarcely a town but still shows traces of their presence in it; whole streets destroyed and never rebuilt, and those remaining but semi-populated.

Mr. Douthwaite, of the China Inland Mission, has a station at Chin-chow, and I was informed by this gentleman that since the posting of the Yunnan Proclamation he has observed a very marked improvement in the bearing of the people towards himself and the members of his church.

In the neighbouring district, Chiang-shan, there are extensive coal mines, which supply Hang-chow, Shao-hing, and Ningpo, but the coal is of an inferior quality, possibly merely surface coal, and burns very rapidly. I called on the Taotai, Prefect, and Chih-hsien, and ascertained that the Yunnan Proclamation was posted throughout

the circuit; and then having hired a boat to take me right through to Hang-chow, a distance of 210 miles, I left Chin-chow on the evening of Monday the 8th, proceeded down the river back to Lan-chi, where I arrived late on the evening of the 10th.

On the 11th I started down the Hang-chow River, and reached Yen-chow-foo late on the 12th.

Yen-chow is, like the prefectural towns of Chin-hua and Chin-chow, a poor half-ruined place, of little importance; it is situated on the right bank, some little distance back. The official yamêns are nearly three miles from the river. The Chih-hsien placed a chair at my disposal, in case I wished to visit the city, and the Prefect offered to meet me at the gate; but it was so late that I contented myself with ascertaining that the Proclamation was posted, and then pushed on. Passed the small unwallèd city of Tung-lu on the 13th; the town of Fu-yang on the 14th; and reached Hang-chow late on the night of the 15th.

Here I learnt from the Rev. A. E. Moule that the Proclamation had been properly posted in Hang-chow and the neighbourhood. On the 16th I started for Hang-chow; passed Shao-hing the following morning, and arrived at Ningpo on the evening of the 18th, after an absence of thirty-seven days, during which time I travelled close upon 900 miles, and found that wherever I went the Yünnan Proclamation had been carefully posted in all towns, large villages, and public thoroughfares; and that proper measures had in most cases been adopted to ensure the preservation, or, failing that, the renewal of the Proclamation during the two years stipulated for by the Chefoo Convention.

I must not conclude my Report without making mention of the great kindness and assistance afforded me by the various members of the China Inland Mission, stationed at the different places visited by me in the course of my tour.

I have, &c.
(Signed) P. L. WARREN.

Inclosure 2 in No. 29.

Map of the Province of Chehkiang.

No. 30.

Mr. Fraser to the Earl of Derby.—(Received April 21.)

My Lord,

Peking, February 17, 1877.

BESIDES the information which Mr. Warren's report, inclosed in my despatch of yesterday's date, conveys as to the posting of the Chefoo Proclamation throughout China, the last mail brought me news that it had at length reached the ports of Amoy and Swatow, and had been exhibited there.

Mr. Alabaster, the Consul at Amoy, had detached his interpreter, Mr. Phillips, upon a tour of inspection through the southern portion of the Province of Fuhkien, and Mr. Forrest, the Acting Consul at Swatow, had projected a similar visit to Chao-chow Fu.

The Proclamation has also been seen at various places in Manchuria, at Moukden, at Kirin, at Newchwang itself, and at several smaller places in the vicinity of that port.

Its publication has thus been reported to me from all the ports upon the mainland. No news on the subject can be expected as yet from the Island of Formosa.

I have, &c.
(Signed) HUGH FRASER.

No. 31.

Mr. Fraser to the Earl of Derby.—(Received May 7.)

My Lord,

Peking, March 6, 1877.

I HAVE the honour to transmit herewith to your Lordship a letter from ———, respecting affairs in Yünnan. Your Lordship will observe that ——— announces the posting in the Province of Kweichow of the Proclamation issued under the Chefoo Agreement.

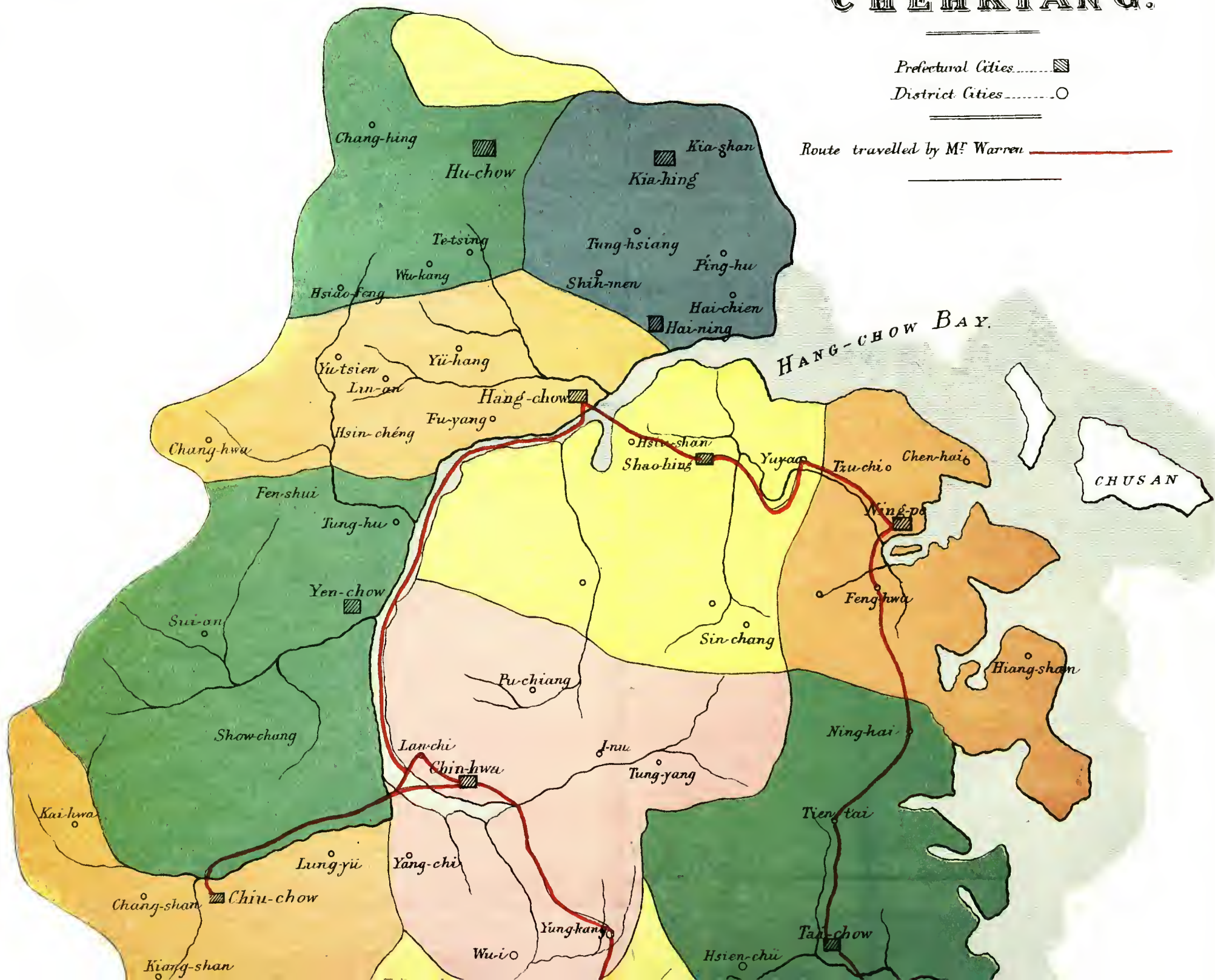
I have, &c.
(Signed) HUGH FRASER.

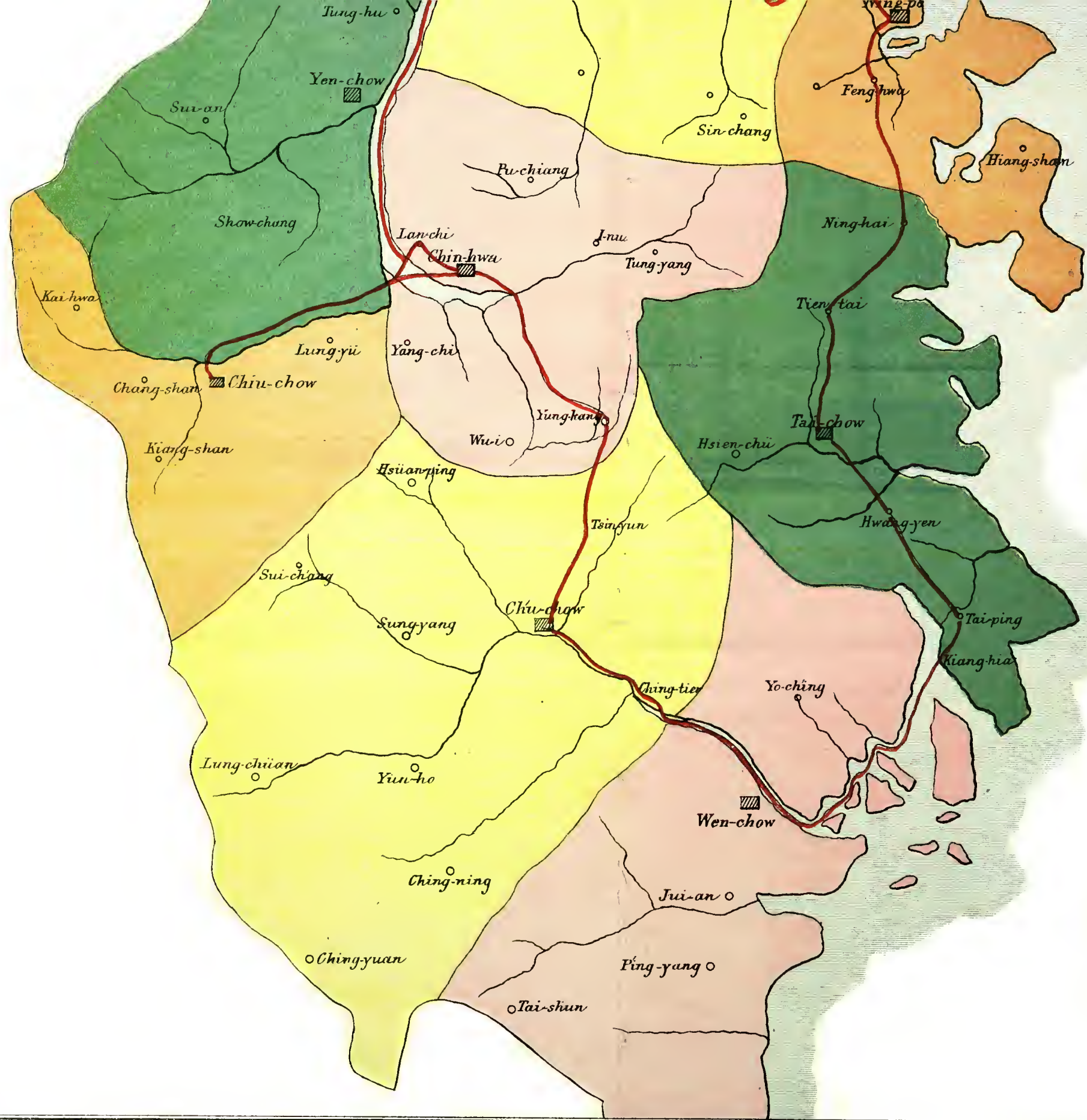
PROVINCE
OF
CHEKKIANG.

Prefectural Cities.....■

District Cities.....○

Route travelled by Mr Warren _____





Inclosure in No. 31.

— — — — — to Sir T. Wade.

Sir,

November 30, 1877.

SINCE I last wrote to your Excellency some official despatches have arrived from the capital, containing the terms of the arrangement of the Yünnan difficulty, and I have been told that blocks are being prepared to print a number of copies for circulation throughout this province. The local issue of the "Peking Gazette" has not yet appeared, that is, for the seventh and eighth months, but copies of the "Gazette" itself have been received here by several parties, and I have circulated several copies of the "Shun-Pao" amongst my friends, who all appear to be satisfied with the terms of your Excellency's Convention. The Sze-chuan people appear delighted at the prospects of having steamers come up to Chung-king, but the Yünnan people do not appear to relish the idea of having an English Consul, or Superintendent of Trade, in Yünnan, although the case may be different with the trading community of that province; however, it is difficult to judge without being on the spot.

Although I receive visits from Yünnan men nearly every day, not one of them has ever said a word about the affair.

No. 32.

Mr. Fraser to the Earl of Derby.—(Received May 7.)

(Extract.)

Peking, March 12, 1877.

ALTHOUGH the accounts I have received of the posting of the proclamation stipulated for in the Chefoo Agreement have shown, in general, that the provincial authorities have obeyed the instructions of the Central Government with a fair promptitude and fidelity, one exception to the general rule has, I regret to say, been found.

I had the honour to inform your Lordship, in my despatch of the 23rd of January last, that the literary graduates of Hu-nan had made a rather vehement demonstration against the Grand Secretary Li's concessions to Great Britain in the matter of Mr. Margary's murder. The next news received from that province was contained in a newspaper paragraph, noticing the visit of two English missionaries to the city of Yochow-fu in January last. They were not permitted to enter the city, and were informed, at the same time, by an official who visited them, that the Chefoo Proclamation had not appeared in that district.

It will be necessary, in the course of time, to send Consular Officers to Yochow and other places in Hu-nan to see whether the conditions of the Chefoo Agreement have been observed or not; and it is by no means to be desired that they should meet with a similar reception. I thought it best, therefore, to call the notice of the Chinese Ministers to this report, and request that the provincial Government might be urged to bestir itself in the matter; and they have consented to do this, as the inclosed correspondence will show.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 1 in No. 32.

Mr. Fraser to the Prince of Kung.

Sir,

Peking, March 7, 1877.

THE reports which I have received from Her Majesty's Consuls seem to show that the Proclamations issued by the provincial Governments, in pursuance of your Imperial Highness' instructions, for the better protection of foreigners travelling in the interior under passports, have been, in general, duly published in the neighbourhood of the Treaty ports, and, indeed, throughout the whole extent of some of the Chinese provinces; and it has given me pleasure to bring this fact to the knowledge of Her Majesty's Government.

My task is not yet over, however, in this respect. I shall have to send officers from time to time into different districts of the interior, until more complete information of the general circulation of these documents has been procured. I am sure it will be a matter of as much regret to your Imperial Highness as to myself if these

officers should meet with obstruction, or should find that, in view of the hostile temper of the population, the Proclamations of which they are in search have been suppressed; and therefore it is that I now venture to notice a rumour that has reached me to the effect that two English missionaries, who visited the city of Yo-chow, at the mouth of the Tung-ting Lake, in Hu-nan, in January last, were refused admittance to that city, and were informed that the Proclamation had failed to appear in its vicinity.

I hope that when the time comes to send an official into the province of Hu-nan for the purpose above-mentioned, he will not meet with a similar reception.

I have, &c.
(Signed) HUGH FRASER.

Inclosure 2 in No. 32.

The Prince of Kung to Mr. Fraser.

(Translation.)

Peking, March 10, 1877.

THE Prince has to acknowledge the receipt of Mr. Fraser's despatch of the 7th instant, stating that, according to a report which had reached him, missionaries had been forbidden access to the city of Yoh-chow Fu, in Hunan, where also the Proclamation enjoining protection to foreign subjects had not been posted.

In reply, it has to be observed that the Proclamation enjoining protection was long since forwarded by the Yamên to the various provincial jurisdictions to be duly issued; but on receipt of the communication now under acknowledgment stating that it has not yet been posted at Yoh-chow, and that missionaries were debarred from visiting that place, it will be the duty of the Yamên to write on both these subjects to the Governor of Hunan, desiring him to require his subordinates to make minute inquiry and to report, directing him at the same time to cause the Proclamation to be duly posted.

On receipt of the Governor's reply, a further communication will be addressed to Mr. Fraser, and in the meanwhile the present acknowledgment of his despatch is addressed to him.

Kwang Sü, 3rd year, 1st moon, 26th day.

No. 33.

Consul Sir B. Robertson to Lord Tenterden.—(Received May 14.)

My Lord,

Canton, March 27, 1877.

I HAVE the honour to forward copy of a despatch of the 22nd instant, which I addressed to Her Majesty's Chargé d'Affaires at Peking, inclosing a copy of a report by Mr. Interpreter and Acting Vice-Consul Gardner of his visit to the interior of this province to inspect the posting of the Yünnan Proclamation, as provided for in the Chefoo Agreement.

I have, &c.
(Signed) B. ROBERTSON.

Inclosure 1 in No. 33.

Consul Sir B. Robertson to Mr. Fraser.

Sir,

Canton, March 22, 1877.

IN obedience to instructions I received from Her Majesty's Minister in China, and being an invalid and unable to go myself, I directed Mr. Interpreter and Acting Vice-Consul Gardner to visit the various towns and places of importance to the northward of Canton, and by personal inspection see whether the Proclamation provided for under Section 1, Article 2, of the Agreement of Chefoo was publicly exhibited therein.

I communicated to his Excellency Liu Kwên-yih my intention, and requested he would depute a proper officer to accompany Mr. Gardner, which he at once complied with, and placed one of the Imperial steam launches at my disposal to tow the boat.

Mr. Gardner, having hired and provisioned a travelling boat suitable for the shallow rivers on the route, started from this on the 10th instant.

As I did not like his going alone, I directed Mr. Bullock to accompany him.

The copy of the report I have the honour to inclose will show that the authorities of this province have faithfully carried out the provision of the Chefoo Agreement as regards the exhibition of the Proclamation.

It will, doubtless, be satisfactory to you to hear of the courtesy and attention, and even distinction, with which Mr. Gardner was treated by the local authorities on the whole of the route.

Indeed, from the Viceroy downwards, all seemed anxious to make the journey as agreeable as possible.

I take the opportunity of bringing to your notice the zeal and discretion with which Mr. Gardner carried out my instructions, and to which, in conjunction with his courteous demeanour towards Chinese, and tact in dealing with them, I attribute, in a great measure, the success which has attended the expedition.

Mr. Gardner and Mr. Bullock reached Canton on the night of the 18th.

If no other point had been gained than a successful termination to the inspection, it would alone be satisfactory, but I am sure you will think that, in addition to this, something more has been acquired. In all probability many of the authorities who received Mr. Gardner *en route*, and the greater part of their subordinates, had never seen Europeans before, and whatever might have been their preconceived or traditional idea of Westerns, when they met in Mr. Gardner and Mr. Bullock polished and courteous gentlemen, and were treated by them with courtesy and respect, some of their prejudices cannot but be shaken, and perhaps removed.

I have, &c.
(Signed) B. ROBERTSON.

P.S.—I will forward copy of this despatch and inclosures to the Foreign Office, trusting for your approval.

B. R.

Inclosure 2 in No. 33.

Mr. Gardner to Consul Sir B. Robertson.

Sir,

Canton, March 20, 1877.

HAVING received your instructions to proceed with Mr. Bullock, Consular Assistant attached to this Establishment, to Fatshan, Sam-shui, Ching-yuan, Ying-tê, and Shao-chou Fu, to see whether the Proclamation with regard to the Yunnan affair had been duly posted up, and to return as quickly as possible to Canton, I have the honour to state that I made the necessary preparations by hiring a light-draught boat, which I dispatched beforehand with our servants on the 8th March, with orders to await us at Sam-shui; in addition to this his Excellency Liu Kwen-yih, the Viceroy of the Two Kwang, kindly placed a small steamer at our disposal, which could only, on account of the shallowness of the river, proceed as far as Sam-shui, where our light-draught boat was ordered to await us.

On the 10th March the Viceroy appointed Chai Chün, an officer of the rank of t'ung-p'an, or Deputy Prefect, to accompany us, and on the same afternoon we started with him in the steamer lent by the Viceroy.

Chai is a young officer of good family and position in the Government here. We found him a most agreeable and obliging companion, and the zeal he displayed in seeing that due honour was paid us deserves our most sincere and hearty thanks.

On our route we were treated by all the local authorities with distinction and courtesy; wherever we landed we were given a guard; in most instances we found the local authorities awaiting us on the river bank to pay us their respects, and in other places four-bearer chairs were sent to carry us through the town, accompanied by bearers of red umbrellas, the invariable insignia of high officials. At night guard-boats escorted us from station to station throughout our journey. In all twenty-two guard-boats were thus employed.

The places where I myself saw the Proclamations exhibited are as follows:—Fatshan, Sam-shui, Ching-yüan, Po Miao, Ying-tê, Shao-kow, Shao-chou Fu.

That is in all the towns mentioned in your instructions, and in two villages, namely, Po Mio and Sha Kow, which were not mentioned. The former is a village north of Ching Yüan, where all native boats stop to perform certain religious observances, and the latter a village north of Ying-tê.

Of all the towns we visited Shao-chou Fu is the most important, as it is on the thoroughfare between Kwangtung and the four provinces of Kwangsi, Hunan, Kiangsi, and Fokien, and the seat of the principal duty station of this province.

I returned to Canton on the 18th instant.

I have, &c.
(Signed) C. T. GARDNER.

No. 34.

Mr. Fraser to the Earl of Derby.—(Received May 21.)

My Lord,

Peking, March 14, 1877.

I HAVE the honour to transmit herewith to your Lordship the copy of a Report sent to me by Mr. Alabaster, Her Majesty's Consul at Amoy, of a journey which he had directed Mr. Phillips, Interpreter to the Consulate, to make through the southern part of the Province of Fuhkien, in order to see how far the terms of the Chefoo Agreement had been complied with in the matter of the Proclamation.

Mr. Phillips' report is quite satisfactory upon that point. He speaks well, moreover, of the courtesy and friendliness with which both officials and people treated him.

I have, &c.
(Signed) HUGH FRASER.

Inclosure in No. 34.

Mr. Phillips to Consul Alabaster.

Sir,

Amoy, January 31, 1877.

I HAVE the honour to report my return from visiting the districts enumerated in your letter of instructions to me of the 13th January for the purpose of seeing whether the Proclamations with regard to the death of Mr. Margary had been posted as required by the Chefoo Convention.

I left Amoy on the morning of the 15th January, in company with Mr. Corner, Secretary of the Chamber of Commerce, and Dr. Douglas, of the Presbyterian Mission, and went by boat to Laioa on the mainland, where we landed and proceeded to An-hai, a large and important place, with about 25,000 inhabitants, situated forty miles to the north-east of Amoy, where we spent the night.

On my way through the town I inquired if any Proclamations were posted up, and I found that none had been received; but I have since learnt from Dr. Douglas, who has a chapel there, that three Proclamations are posted up in busy parts of the town.

Sugar and bean oil are the chief products of the district, much salt is also made at the entrance of the estuary, on which the town is situated.

We left Anhai the next morning and arrived at Chin-chew about 4 o'clock. The country between Anhai and Chin-chew produces sugar in great abundance, much of which is still standing. Wheat and barley are also extensively grown. Half-way between Anhai and Chin-chew there is a large brown pottery manufacture. On the road there were no Proclamations posted up.

On the next morning at 8 I left Chin-chew, accompanied by Mr. Corner and the Taoutai's Deputy, Ching Pang-ki, for Gan-nan *en route* to An-koi. On the road to Gan-nan saw Proclamations posted up in all the villages passed through; arrived at Gan-nan at 11 o'clock, and called on the Magistrate, Chen She-lieh, a native of Kia-ying Chow, in the Canton Province, who provided us chair-coolies and baggage-bearers for An-koi; he also told off some six men to accompany us.

The population of the city and suburbs is about 1,500 families. It is in a very poor and dilapidated state, and the people very poor.

Sugar is extensively grown in the neighbourhood. Lichee and lung-gan trees are very abundant.

At 5 o'clock we arrived at a tolerably large village called Ki-wei, where we were quartered for the night in very indifferent quarters; but they were the best the place afforded.

On the 19th January we started at seven in the morning for An-koi, which we reached at four o'clock in the afternoon. The Proclamations were posted up at every village we passed through.

Sugar is extensively grown in the country between Gan-nan and An-koi.

The population of the city of An-koi is only about 5,000 or 6,000.

A very small quantity of piece goods and camlets are sold here.

There are two or three shops dealing in these goods, and their joint sales cannot be more than eight or ten pieces a year.

Matches are sold in some considerable quantities.

There is no *li-kin* tax in the neighbourhood on foreign goods, which find their way from Chang-chow by means of the Tung-gan pass. The traders told me that, on their way from Chang-chow to An-koi, no *li-kin* charges were demanded.

Tea is somewhat extensively grown in the western part of the district.

The Magistrate of the city is one Ho Han-tsêng, a native of Yünnan, who received me very courteously, and placed a house at my disposal, and visited me there to see if all his orders had been carried out for our comfort.

We spent the night there, and next morning at seven we left the city for the neighbourhood of the iron mines at Hoo-tow, some seventy-five li distant, where we arrived at 5.30 in the afternoon. The road to this town was somewhat steep in places.

We arrived at Hoo-tow very fatigued, and after dinner we inquired into the practicability of reaching the mines. I sent for a mine-master, a Mr. Li Wei-lin, who gladly afforded me every information in his power respecting them. He brought me specimens of the ore made up for transportation to other districts, and he promised to send me down to Amoy a box of the earth from which the ore was extracted. The yield of ore he stated to be 20 per cent.

The iron produced at the works was sixteen piculs (say a ton) a-day.

The price of the iron was 1,560 cash for 50 catties (say a penny or two-pence a pound.)

These mines are situated about 40 or 50 li from Hoo-tow, at a place called Yun-tow, from which place, during the summer, there is plenty of water to bring the iron from the district in which it is produced to Hoo-tow; from Hoo-tow it readily finds its way down to An-koi and Chin-chew by direct water communication. Near An-koi it is placed on mules' and ponies' backs and conveyed over the pass to Tung-gan, and from thence to Amoy. This iron is made into agricultural implements and pans at Tung-gan, and in that state distributed over the whole of the district. The range of hills in which this iron is found stretches north-eastward to Teh-hua, and much of the iron found there, at a place called Chih-shui, finds its way through Yung-foo to Foochow, and over the mountain passes to Sien-yew in the Hing-hwa Prefecture, at which place there are large foundries for casting pans and agricultural implements, which supply the whole of the Hing-hwa and Hui-gan region with those articles.

These iron-producing mountains stretch in a north-westerly direction to Chang-ping in the Lung-yen Chow department, which is in the intendancy of the Chang-chow Taotai.

Iron is found there at a place called Tam Khaou, whence it is carried to Chang-ping and made into pans and agricultural implements as at the other above-mentioned places, and finds its way to Amoy through Chang-chow.

A Dutch friend of mine, Mr. F. K. de Geys, a chemist, visited this neighbourhood many years ago, and wrote a pamphlet of his trip thither, in which he describes the iron he met with there in the following language:—"On the morning of Monday the 18th February, 1861, we visited an iron foundry in the neighbourhood of Chang-ping. The iron ore occurs in the neighbourhood of Tamkhao, and is a mixture of oxide of iron and sulphurate iron. The ore is pounded fine, mixed with charcoal, and put into stone furnaces, which are in the form of a Hessian cross, 25 feet high and 20 feet in circumference. This mixture of charcoal and iron ore is ignited, and a current of air is blown into it by means of wooden cylinders worked with pistons, called wind-boxes. As soon as the mass becomes liquid, the molten iron is ladled out with iron spoons lined with clay, and poured into clay moulds 1½ feet long. This iron undergoes a second preparation, is pounded fine, mixed with charcoal, and melted; the fused mass is stirred about, and the scum continually removed with a skimmer. As soon as the whole of the scum is removed, the iron is cast and made into shape required. The iron is brittle, owing to the great quantity of sulphur and phosphorus contained in it."

In the valley from Ankoï to Hootow, at the side of the stream, we passed by some magnificent camphor, cotton, and liquid amber trees. The other trees in this district were chiefly fir trees and a kind of willow.

Finding it would take us too much out of our way to reach the place where the ore was extracted, and having really got all the information we could respecting it, we left Hootow on Sunday, January 21, at 7.30 A.M., crossed over a hill about 2,000 feet high, and descended into the Yung-chün plain. We met several coolies carrying common earthenware basins to Hootow, and coolies going the same route as ourselves loaded with

a kind of gypsum found in the neighbourhood of Hootow, which they were taking to Yung-chün.

The ascent from Hootow was barren of trees in comparison with the descent into the Yung-chün plain, which was one of unspeakable grandeur. The Yung-chün River rises in this Pass, while the Ankoï River rises some distance beyond Yun-tow in the Yung-chün department, and passes by Yun-tow and Hoo-tow down to Ankoï, and from thence down to Chin-chew; at some ten or twelve miles above Chin-chew it joins the waters of the Yung-chün River, and they flow together by Chin-chew, four miles from which they fall into the sea.

We halted at 4 o'clock at a large village called Tu-po, where there is a considerable trade done in native goods. We saw in some three or four shops grey shirtings, T-cloths, and camlets, but the sale of these was as limited as at Ankoï.

On inquiring where they got their supply of foreign goods, I was informed that they come chiefly from Chang-chow, viâ Tung-gan and Ankoï, and that after leaving Chang-chow they had to pay no *li-kin* dues whatever.

The consumption of Manchester goods in these districts is very small, and it is a wonder that any are consumed at all, when the fact that at nearly every homestead you see the women employed weaving cotton cloth, which, when woven, is sent to the dyers to be dyed there. A dyeing establishment is found in every village.

Water-wheels are much used in this neighbourhood for husking rice and grinding corn.

Sugar is grown in the neighbourhood of Tupò, and the cultivation of it increases as one approaches Yung-chün. This village is situated on the high road to Teh-hua, from which it was said to be only 30 li distant, but it must, I think, have been further.

Proclamations were posted up at each end of the village, and also at the other villages passed through on our way to Yung-chün.

Arrived at Yung-chün at noon, called upon the Chow, who was absent on public business. His Secretary did the honours of the office, and placed apartments in the Yamên at our disposal during our stay there, and in every way showed us the greatest attention and courtesy. The Proclamations sent from Foochow not being sufficient for the neighbourhood, he had had some copied out and posted up in the city. I saw one of those that had been copied posted on matting at the city gates.

There are a few shops dealing in piece-goods, but their consumption was very small. The business part of the town is outside the walls in the western suburbs.

The Chow of this Department was Chih Chao-hsuen, a native of Chinkiang.

I may remark that the country passed over, from Ankoï to Hootow, and from thence to Yung-chün, has, as far as I can learn, never before been visited by Europeans. I must thus speak in favourable terms of the people, who, although crowding round us to gratify their curiosity, did, upon my addressing them a few familiar words in their native dialect, treat us with all courtesy and civility. I never once heard a word of abuse used towards us nor was there any hooting and yelling after us.

We left Yung-chün at seven next morning and arrived at a large village in the mountains called Hu-yang, which neighbourhood is greatly infested by tigers.

The sale of foreign goods there is nominal. A road passes through this district from Teh-hua to Sien-yew, and coolies were carrying porcelain and iron to the last-named place. At the villages passed through on our way to this place Proclamations were posted up.

Next morning, at daylight, we left Hu-yang for Sien-yew, where we arrived at 4 o'clock in the afternoon; our road lay over a very high mountain pass.

Here we were well received by the Magistrate, Chou Shao-kuo, who gave us quarters in his yamên. This officer had been formerly magistrate at How kwan, one of the districts of the city of Foochow. The district grows little but sugar, which is sent over the passes to Foochow. The sugar crop, both here, at Yung-chün, and other places, has been very short this year. There grows also in the neighbourhood a plant called hung-hua (*red flower*), which is used in dyeing cloths, and the women here are seen clad in red jackets, where in other districts these are usually blue.

This plant I identify with the safflower (*Carthamus tinctoria*).

Beans and wheat are also extensively grown.

There is no *li-kin* levied here on foreign goods which find their way here from Foochow.

Many iron pans and agricultural implements are made here from the iron brought from the mountains in Teh hua.

I am pleased to be able to bear testimony to the faithful manner in which the Magistrate has carried out his orders for posting up the Proclamations. I saw here,

what I saw nowhere else, the Proclamations carefully posted on mats and oiled, in order to preserve them from the weather.

This was done in every place I passed through in his district.

The city is very poor, having been destroyed by banditti from Teh hua in the second year of Hien-fung (1853). It appears not to have recovered from this blow, as it is very little built over; the largest and busiest part of the place is outside the west gate in the western suburbs.

Left Sien yew at 6 A.M. on January 25, and arrived at Hing-hua at 4 o'clock.

Called on Prefect Lew-kwo-kuang and Magistrate Wu-kwang-han.

The Prefect of Chinchew was passing through Hing hwa on his way to his post at Yen ping viâ Foochow.

There is no *li-kin* on foreign goods imported into the city. There is a *li-kin* Office at Hankiang some thirty li from Hing hwa on the sea-board. The same *li-kin* tariff as at Amoy is in vogue there.

On January 26 I left Hing-hwa for Hwuy-gan, stopping on our way at Fung-ting, where we spent the night. At this place there is a large trade done in native goods, and a few Manchester goods are sold there, which are brought from Foochow. This place is in the Sien yew magistracy, and is the port of that district.

We left this place the next morning at seven, and reached Hui-gan at two in the afternoon. I remarked along the road that was in the Sien yew district the usual care taken to guard the Proclamations against the weather, and which, I am sorry to say, was not so apparent in the next district passed through, viz., that of Hwuy-gan. We spent the remainder of the day at Hwuy-gan, at which place there was a riot in connection with the building of a chapel in May last. The chapel is now well built, and, as far as I could learn, all trouble had ceased and the Christians were in no way molested.

There is a tolerable amount of piece goods sold at Hui-gan, which are brought thither from Foochow.

The district is a very poor one, and produces a small quantity of sugar, sweet potatoes, wheat, and barley. In the district, and in the neighbouring district of Sien yew, there are to be seen palm trees growing, which yield the coir used by the Chinese in making rain-coats, &c.

The district magistrate there is Yu-seun, the officer who was in charge there when I visited the city in May last.

We left Hui-gan at 8 o'clock, and saw Proclamations well posted up along the road except at Lo-yang, and on my inquiring the reason why such an important place had no Proclamation posted up, I learnt that the Tepao had received a copy which he had not posted up. I sent in search for that officer, and made him produce the copy he had received from the magistrate, and made him put it up on a board at the end of Lo-yang bridge, immediately opposite the landing-place of the port.

We crossed the bridge, and were then in the Tsin-kiang magistracy. Along this route to Chin-chew the Proclamations were well posted up.

I would remark that along the sea-board from Hing-hwa to Chin-chew, and from thence to Tung-gan and Amoy, the salvage regulations relating to foreign shipping, issued by Governor Wên and Lieutenant-Governor Ting, were posted up with as much care as the Chefoo Convention.

We arrived at Chin-chew at 3 o'clock in the afternoon. On Monday, January 29, left Chin-chew at daylight, and was pleased to see a Proclamation posted up at every village I passed through on my way to Sha-ki, a village on the high road to Amoy, where we passed the night. We were up at daylight in the morning, and reached Tung-gan at 11 o'clock, and called on the magistrate, who was away in the country on business, but we were well received by the people of his yamên, and the Proclamations were well posted up in the city and in the neighbourhood. On our way down from Chin-chew to Tung-gan we passed several large bodies of troops, who were being moved from Chang-chow to Chin-chew to await the means of transport to Formosa, where they had been summoned, they said, by Governor Ting. I was told by one of the officers that the force removed from Chang-chow to hold themselves in readiness to proceed to Formosa was about 2,000 men. We must have passed some 600 or 700 on the march, who were chiefly Hunan men, armed with foreign muskets and bayonets.

We left Tung-gan at noon, and proceeded to Chioh-gim, some four miles down the river, where we embarked on board a passage-boat for Amoy, which we reached at 5 o'clock.

Throughout the journey we met with the greatest civility and kindness from all the officials, who gave us an escort of some five or six men through their respective districts, and I cannot fail to mention the attention paid to our comfort by the Taotai's deputy, Cheng Lang-ki, who accompanied us on our journey.

Throughout our whole route I saw no Proclamations or posters regarding foreigners.

With regard to no *li-kin* taxes being levied on foreign goods in the various inland districts passed through, I attribute this to the small quantities that find their way thither, which would not pay for the cost of collecting a tax upon them.

I was told at Sien-yew of the attempt of the authorities to collect a heavy impost upon sugar on its way to Foochow a year or so ago; but the people would not stand it, but took their sugar by almost impassable mountain-paths to Foochow rather than submit to be fleeced at the barriers established along the high road.

I have, &c.
(Signed) G. PHILLIPS.

No. 35.

The Earl of Derby to Mr. Fraser.

Sir,

Foreign Office, May 10, 1877.

I HAVE received your despatch of March 12, together with its inclosures, relative to the non-posting of the Yünnan Proclamation in the province of Hunan, and I have to convey to you my approval of the letter addressed by you to the Chinese Government upon the subject, a copy of which and of the reply to it is inclosed in your despatch.

I am, &c.
(Signed) DERBY.

No. 36.

The Earl of Derby to Sir B. Robertson.

Sir,

Foreign Office, May 17, 1877.

WITH reference to your despatch of 27th March last, inclosing a copy of a report by Mr. Gardner of his visit to various places of importance to the northward of Canton to see whether the Proclamation with regard to the Yünnan affair had been duly posted up, I have to request you to convey to Mr. Gardner my approval of the zeal and discretion with which he carried out your instructions.

I am, &c.
(Signed) DERBY.

No. 37.

The Earl of Derby to Mr. Fraser.

Sir,

Foreign Office, April 27, 1877.

I HAVE received your despatch of February 16, transmitting a copy of a Report of a journey made by Mr. Warren for the purpose of observing whether the Proclamations issued in pursuance of the Chefoo Agreement had been properly posted in the interior of the province of Chekiang, and I have to instruct you to convey to that gentleman the expression of my approval of the Report in question.

I am, &c.
(Signed) DERBY.

No. 38.

Consul Forrest to Mr. Fraser.—(Received at the Foreign Office, June 18.)

Sir,

Swatow, February 28, 1877.

I HAVE the honour to inform you that, from personal inspection and reliable information furnished by the officers of this Consulate and the members of the Scotch Presbyterian mission, I believe the Proclamation required by the Chefoo Convention has been properly and extensively posted in all large towns and villages of this circuit.

At the Fu city I saw it in duplicate, properly pasted on boards and varnished at the

city gates. It is also here at the Taotai's and Hsien's yamêns, the Consulate, and some other places.

At the cities of Ch'ao-yang and Ch'êng-hai, it is posted at the city gates and Magistrates' yamêns.

The Rev. Mr. Mackenzie saw it in different places at Chieh-yang and the important town of Mien-hu, to the west, where its publication provoked much adverse criticism. The Rev. Mr. Gibson saw it repeatedly in the towns north-east of Ch'êng-hai city during a tour just finished.

I saw the Taotai at Chao-chou on the 15th instant, who told me, on my requesting an officer to accompany Mr. Giles to Hui-chou, that he would appoint one willingly, but that I might rest assured that the Proclamation would be found posted in every considerable town in his jurisdiction. He begged me at the same time not to wonder if sometimes the seals had been cut away, as it was difficult to prevent the people from abstracting them for use as charms against sickness.

I have, &c.
(Signed) R. J. FORREST.

No. 39.

Sir T. Wade to the Earl of Derby.—(Received July 14.)

(Extract.)

London, July 14, 1877.

I AM at last able to lay before you the Report which, with your Lordship's permission, I have prepared in explanation of the Agreement signed by me at Chefoo on the 13th September last. My explanations could scarcely, under the circumstances, be brief, and their length has been added to by the discovery forced upon me since I asked leave to make them, that the end I had proposed was not to be attained without a far more voluminous commentary than I had in the first instance contemplated.

Much of my matter is not new, nor is this the only reason why I should have been willing to forego disinterment of the discussion I find myself compelled to review. The story of this, whether as regards the tragic incident which was the immediate cause of the discussion, or the questions of a widely different character that were grafted upon it, is in many ways disagreeable, and something more. A certain retrospect, notwithstanding, is in my opinion unavoidable, and I can only hope that such recapitulation as appears to me necessary will not be deemed superfluous.

The chief object to which the Agreement addressed itself was of course the settlement of the Yün Nan affair. Subsidiary to this was the fulfilment of promises, implied or explicit, first, that the conditions of diplomatic intercourse should be improved; secondly, that the irregularities complained of in the taxation of our trade should be rectified. I shall begin by recalling how the exaction of pledges, at first sight so little in affinity with it, came to be coupled with my demand for reparation for what I had denounced as an act of treachery and violence. The truth is, that that act, the imperfectness of official relations, and the oppression of trade, were but so many parts of a question which I conceived myself called upon to approach as a whole; and this the more, because, very shortly before the occurrence of the graver incident, the Yün Nan outrage, I had given special notice that I was about to request attention to the other causes of complaints above indicated. Unless the connection of these subjects from the first be borne in mind, their association in the sequel can hardly fail to be misunderstood.

The notice referred to was given under the following conditions:—

It will be remembered that early in the year 1875 the late Emperor of China died. His Majesty had ascended the Throne a minor in 1861, and the Empire had been administered something over eleven years by the two Empresses Regent; the senior in degree having enjoyed her rank and title during the lifetime of her husband as his chief wife; the junior receiving her patent after his death as the mother of his successor and only son, at the time of his accession, an infant about five years of age. Having attained his majority, by the completion of his sixteenth year, in the autumn of 1872, he was married, and, in the spring of 1873, commenced to govern in person; but falling sick in the winter of 1874, he issued a Decree reconstituting the Empress Regency until his health should enable him to return to his duty. He was not destined to recover, and as he left no heir, the nomination of his successor virtually devolved upon the Regents. With the consent, it is believed, of all the seniors of the family, an infant cousin of the deceased Emperor was chosen. As the new Sovereign, like his predecessor, was beginning his reign at the age of

five, it might be assumed that there was before the Regency a second tenure of power, much of the same duration as in the minority so recently expired.

Now, throughout that minority, complaint had been incessant of the attitude of the Chinese Government, and this, although very great consideration had been shown it. At the beginning of the period in question, 1861-62, the Empire throughout more than half its extent was in the wildest disorder, and there was a general disposition on the part of all Treaty Powers to be tolerant of shortcomings, whether in respect of outward forms or of more apparently tangible interests.

I qualify the separation of the two categories advisedly, for it is more than doubtful in my mind whether they are properly separable. In much that is purely Chinese the formal takes precedence of the essential. In all that concerns recognition of the equality of foreign States with China, the modification of forms has generally involved a greater struggle than the concession of changes in the chapter of material advantages. It is at the same time, in my belief, incontestable that the greatest of all advantages, the security against national misunderstandings, will not be ensured us until that equality is duly recognized. It is as an index of this recognition only that I have attached weight to concessions in the chapter of etiquette; and if at any time I have appeared to devote more attention to what may seem simple formalities than to the commercial privileges to extend and protect which our Treaties were made, it is because of my firm conviction that from the hour that we have nothing in formalities to find fault with, we shall have in other directions no undue opposition offered to the attainment of any legitimate end in the country. It was this feeling which induced me to assign such importance to the audience of 1873. The Chinese Government had known for years that it would be asked for, but was quite unprepared to accord it; and after four months' negotiation conceded but a minimum of concession. Still this minimum was valuable ground gained in the direction of a formal recognition of what is due to foreign states as the equals of China. For this reason I allow a higher significance to the audience of 1873 than it has been usual to award it.

Neither had my predecessors, however, nor had I, been as constant in our protestations against non-fulfilment of the Treaty clauses affecting formalities as in reclamations on the score of commercial grievances. The latter were, unhappily, of very constant recurrence. The former could only, as a rule, be touched upon when conversation on other subjects brought them into the current of discourse. But the inseparableness of the two questions was never absent from my mind, and as soon as I decently could, after receiving intimation of the late Emperor's death, and of the nomination of a successor so youthful as to render a regency long-lived as the last but too possible, I conceived it my duty to impress upon the Ministers of the Ts'ung-li Yamên the extreme improbability that the same indulgence would be allowed the Chinese Government in respect of its Treaty obligations, formal or other, during the long minority of which we were on the threshold, as it had enjoyed during the period so recently expired. I was not about, I said, to formulate any particular demand, but having, as I had, already received permission to return home, I should consider myself bound, before I left Peking, to draw from the Chinese Government some definite assurance as to the steps it was prepared to take towards the better fulfilment of its obligations, diplomatic or commercial. I had every desire, I added, to avoid words that might be distasteful to the Chinese Government. Drafts of the notes to be addressed to the Prince of Kung should be communicated, I promised, beforehand to the Yamên. My sole object was to be enabled to submit the information which I conceived necessary to the Government of Her Majesty.

Meanwhile I undertook, first, to associate myself with my colleagues, the Representatives of America, France, Germany, and Russia, in the adjustment of an intricate question, the emigration of Chinese to Cuba, which it had been agreed by the Representative of Spain and the Ts'ung-li Yamên should be referred to our joint arbitration. Pending the conferences to which that agreement gave occasion, my propositions above referred to remained in abeyance.

On the 11th March, 1875, however, I received a telegram from the Viceroy of India, informing me of the attack upon Colonel Browne's Mission and the murder of Mr. Margary. I communicated the intelligence to the Prince of Kung upon the following day, and a discussion commenced, in which, amongst the guarantees for the future, diplomatic intercourse and justice to trade played necessarily part; what part, will appear in its place.

The above will suffice to show why and how these questions came to be connected with the discussion arising out of the Yün Nan affair; to the more particular consideration of which I now proceed.

I. In the close of the foregoing retrospect, I have somewhat anticipated the course of events, and I must again ask permission to fall back on past history; not, however, to any very remote period.

First, as to the nature and origin of the Mission from India, the repulse of which gave occasion to the late misunderstanding, there are some erroneous impressions which I think it expedient should be removed. I have found it stated that we insisted on a passage into Yün Nan, when it was refused us; farther, that I myself had deprecated from the first the dispatch of Colonel Browne's Mission.

There is no foundation for either of these beliefs. The expectation that the moment our merchants could obtain access to the province of Yün Nan across the Burmese frontier, they would find a remunerative trade; nay, more, the notion that we ought at once to establish houses of business in Yün Nan; I have held myself called on to discourage wherever I have known one or the other entertained. My instructions were simply to ascertain whether the Chinese Government would object to a "mission of exploration." To this I could see no possible objection. In itself, such a mission I felt could not fail to do good. Independently of the information that it would be sure to collect, its appearance in a far-off region within the boundaries of China was also certain to advantage, not only our own, but all foreign interests. Our right to travel in China under passport was complete. Our application to exercise it in new fields, fields however recently traversed by a French Mission, might excite remark. It might even call forth opposition. The Chinese Government might suggest difficulties, in appearance, insurmountable. Even so, the check, diplomatically, would not be serious. I could quote besides the precedent of Russian Missions on the north-west.

Accordingly, I asked for passports. Our passports, it will be remembered, under Treaty, enable us to travel either for business (in Chinese, trade), or for pleasure (in Chinese, to tour or travel). I applied for passports in the latter form, but I distinctly stated that the Mission was composed of officers sent into Yün Nan by the Viceroy of India. Such a Mission was not altogether a novelty, for, as I have just observed, the Mission of M. Garnier had come up from Cochín China not long before. Much of the country traversed by the latter, however, was then still in a state of rebellion, and, as in other parts of China, I was prepared to find that, with pacification of a province, facilities that could not be withheld while the Government was itself excluded, did disappear with the reconstitution of Imperial authority.

Somewhat to my surprise, except a half-jocular observation that it was much more expeditious to go by way of Shanghai, and a passing reference to the recently disturbed condition of the province of Yün Nan, nothing like opposition was made on the part of the Yamên. The passports were sealed at once, and letters were written by the Yamên to the high authorities of the provinces through which the Mission was to pass, reminding them that the movements of the Mission from India and of Mr. Margary, who was to go to meet it, were in accordance with the provisions of the Treaties, and instructing them accordingly to offer all assistance and protection to the British officers passing through their territory. These letters were handed to me.

That the Yün Nan country was not eminently insecure was proved by the fact that Mr. Margary, accompanied by two small mandarins, traversed it unmolested. The mandarins with him had been given him as an escort by Ts'ên Yü-ying, Governor of Yün Nan, who, during the absence of his superior, the Governor-General of Yün Nan, and Kuei Chou, was in acting charge of that high post. They went with him as far as the chief city of Têng-yüeh Chou, or Momein, a frontier district, of which the chief civil authority is a sub-prefect, the military chief being a brigadier. From this point he proceeded unescorted to Manwyne, where he was received with great deference by Li Chên-kuo, known to us as Li Sieh-tai, the son of a Momein Chinese by a Burmese mother, who had been raised for his services against the Mahometans to the fourth grade of Chinese military rank, and, it would appear, was now employed watching the frontier country, a wild region, against rebels and banditti. He had done his best to obstruct Major Sladen's expedition in 1867.

From Manwyne Mr. Margary sent a Chinese messenger attached to him to Bhamo, and a guard of forty Burmese having been sent to meet him, he arrived in their charge unmolested at Bhamo on the 18th January, 1875.

There are three particulars specially deserving attention in connection with Mr. Margary's journey:—

1stly. In the interior of China he had found the people at every point save one remarkably civil. At Chên-yuen Fu, in Kuei Chou, alone had there been any show of hostility, and it was there ascribed to anti-missionary feeling.

2ndly. As he approached the frontier, whether in the country recently recovered

from the Mahomedan rebels, or westward of it, he found nothing to alarm him. A tribute mission from Burma was passing upward but a short distance to his left as he descended from Momein. Such a mission would have been easily pounced upon by banditti, or by the more than half savage tribes of the border, had the Chinese Government been unable or unwilling to protect it.

3rdly. Messengers went and came between Mr. Margary and the Government of India's Agency at Bhamo without let or hindrance. Mr. Margary wrote to report his progress from both Yünnan Fu and Ta-li Fu, letters that were received at Bhamo; and at Yung-chang or Momein he received letters that had been forwarded thence.

On the 11th March, 1875, a telegram from the Viceroy of India, dated 2nd March, reached Peking, informing me that, on the 22nd February, the Mission commanded by Colonel Browne, which Mr. Margary had been appointed to accompany into China, had been driven back by the advanced guard of a force 3,000 strong, which had been moved from Momein to annihilate the Mission by order of the Momein authorities. "Of this," added the telegram, "there is no doubt." Mr. Margary had been killed, whether in the collision or not, was not as yet clear. The attacking party was stated to have been commanded by a nephew of Li Sieh-tai.

The facts, as thus telegraphed, being brought to the notice of the Prince of Kung, a short correspondence ensued, in which, on the Chinese side, promise was given that the Yün Nan Government should be called on for a report, and a recriminatory allusion was made to the recent acquittal of a British subject who had been tried for homicide. It was not until the 19th March, seven days after my first communication, that certain of the Ministers of the Tsung-li Yamên came to the Legation to inform me that the Prince had it in contemplation next day to lay the matter before the Throne.

I reminded the Ministers present of what had passed between me and them after the Emperor's death, and I demanded,

1st. That a special mission should be dispatched to Momein to inquire into the circumstances of the outrage reported; the investigation to be conducted in the presence of British officers, to whom special passports must be issued.

2nd. That passports should be given me for a second mission into Yün Nan, should the Government of India see fit to send one.

3rd. That the sum of 150,000 taels should be placed in my hands, to be applied as the Secretary of State for Foreign Affairs and the Secretary of State for India should decide.

4th. That steps should be at once taken to give effect to the Treaty provisions affecting diplomatic intercourse.

5th. That steps should at once be taken to relieve British trade from taxation in excess of Treaty provisions.

6th. That all money-claims arising out of the action of Chinese officials should at once be satisfied.

As to the inquiry I demanded, the practice of Chinese Courts, and all other circumstances considered, I scarcely ventured to hope for a result that would content me. It was at the same time clear that, without inquiry, no further action in the case would be possible, and it became me to do my best to prevent such a miscarriage of justice as had heretofore characterised the so-called judicial proceedings instituted where foreigners had been the victims of treachery or violence in China. Outrages, imperfectly accounted for or punished, had been sufficiently frequent since 1860 to justify precautions of the kind. The story of the Tien-tsin massacre, the last and gravest on the list of these atrocities, was scarce five years old. It would be hard to say, in that instance, how little of the evidence was deserving of credence, or how few of the prisoners punished were the really guilty. The Magistrates who, if they did not actively promote, beyond doubt by their culpable inaction encouraged, the massacre, were transported, but on separate grounds, and not for their share in the offence as I have here stated it. I considered it indispensable, therefore, that officers of Her Majesty's Government should be present at the trial to hear and see for themselves.

For the rest, the demands relating to diplomatic privileges and trade were put forward not only because I had earlier signified my intention of referring to them, but for the reason, throughout my correspondence so often repeated, that the Yün Nan outrage, I was persuaded, was but the natural offspring of the exclusivist policy of China, our surest guarantee against the consequences of which is expansion of intercourse to the extent that under Treaty it is reasonable for us to require. The settlement of claims arising out of official acts, mainly the undue detention of imports or produce, need hardly have been separated from the general question of trade.

The amount named as indemnity, I contemplated, would cover the expenses of

the Mission just repulsed, as well as of the Mission which I thought might be directed to replace the first; and would provide the means of allotting a certain sum to the family of the unfortunate Mr. Margary, and of the Chinese servants and others who had shared his sad fate.

The presentation of my propositions led, of course, to a good deal of debate, and I found a degree of opposition for which I was hardly prepared, to the concession of that which it was essential and most reasonable immediately to require; the presence, namely, of my deputies at the trial. It was more than implied that our right to take part in proceedings of the kind was limited to the open ports, and could not be sanctioned in the interior. I accordingly put away for the time all matter not directly connected with the Yün Nan case, and demanded only passports for the gentlemen I should depute to Yün Nan, and payment of the sum named as indemnity. The indemnity itself I next abandoned. I had named the amount I should propose to allot to Mr. Margary's family. This was offered me as a favour. But perceiving that no nearer advance was being effected towards the indispensable condition, I declined all further reference to indemnity until I should receive my Government's instructions on the subject, and I insisted upon the issue of the passports I required. If they were refused me I should withdraw the Legation. After some dispute about their form, the passports were issued, and I proceeded to Shanghae, from which port, of course, the mission that was to represent me in Yün Nan would eventually have to start. Immediate action, unhappily, was impossible. The journey to the scene of the crime could not occupy less than three months. The time of year was not favourable for the dispatch of such a mission; neither was I, as yet, as well found in information as I could wish. I was well pleased, therefore, to learn that the Viceroy of India was willing to send Colonel Browne to confer with me. In effect, he joined me in the month of June.

It should be here recalled that, shortly after my arrival at Shanghae in April, I had received two notes of considerable length from the Prince of Kung, in which His Imperial Highness very seriously complained of my bearing during the late discussion. I do not think it needful, however, here to cite more than two passages in the correspondence; one in which I was cautioned that, although in this instance the passports to enable my deputies to assist at the inquiry in Yün Nan had been granted, that concession was not to be considered a precedent; the other, in which I was asked to request that the notes in question might be replied to, not in or through me, but in a communication directly from your Lordship. It was also hinted that the large number of foreigners who composed the Mission, and their escort, had possibly provoked a collision. The whole party, their Sikh escort included, it should not be forgotten, amounted to about twenty persons. There was a large Burmese guard, perhaps 150 strong; but that these were not obnoxious to the Chinese, the conduct of the Chinese during the attack sufficed to prove.

Before Colonel Browne's arrival I had received from India copies of his reports to the Government of India, as also of the report of Mr. Ney Elias, a member of his Mission, who had been detached along a route to the east, or right, of that pursued by Colonel Browne.

By these papers, and by Colonel Browne's verbal testimony, it was sufficiently established that a month before the expedition advanced from Bhamo, a Chinese dealer had brought information from Momein to Bhamo that a large body of troops were in readiness to oppose its entrance into China; that Colonel Browne had been met, as he moved forward, by rumours that he would be attacked; that the same rumours were current in the capital of Burma as early as the 16th February, that is to say, six days before the attack was made; that on the 21st Colonel Browne had observed Chinese reconnoitering his position; that on the 22nd he was attacked a few miles from Manwyne by a Chinese force, which, while it specially directed its efforts to the destruction of the foreigners not Burmese, shouted friendly warnings to the Burmese escort; that, immediately after the attack, Burmese attached to Colonel Browne received, in his presence, two letters from other Burmese in some sort of official status, that is, acting as the King of Burma's cotton agents in Manwyne, to the effect that Mr. Margary and his servants, all Chinese, who had gone on with him the day before to Manwyne, had been killed on the 21st by Chinese; that subordinates of the Momein authorities had arrived from Momein, and that a large body of troops was surrounding Colonel Browne and would immediately attack him.

The second of these letters is specially remarkable. It states that the writers have been told to forward the warning it conveys by three Chinese sent by the Won of Momein to Manwyne. The word Won, from its use elsewhere, appears to be

employed in Burmese to represent the Chinese title of a district authority. The three Chinese are named; that is, their surnames are given as Bhwa, Shoon, and Lyo; I surmise Wu, Sung, and Liu, but I can hardly venture on more than a guess at the Chinese equivalents for what are evidently but Burmese approximations. From the title which repeats itself after each of the three surnames, I assume that they were not of higher grade than civilian clerks of the Momein Yamên. They had been sent, says the letter, by the Won of Momein (this would be the sub-Prefect) to desire the cotton agents to impress upon the Burmese addressed the necessity of keeping clear of the English Koolas they are accompanying, upon the 23rd of February. They must either leave the English and return, or withdraw to some place a mile or two from them. "If you do not do so, and if, in consequence thereof, any of your men are wounded or killed, you must not blame the Chinese. As they have told us, so we write. As soon as you receive this, write quickly to say whether you will remain or retreat. The Chinese say that if the Koolas follow you, you are not to receive them. The attack will be made at night on the 3rd Labyee-gyaw Tobodwai, 1236 (23rd February, 1875). Above 3,000 and about 4,000 men are collecting and surrounding you. We think it will be wise for you to retreat."

These letters were not willingly shown to Colonel Browne, but being delivered to his Burmese before his eyes, he insisted upon reading them, and took copies of them.

Lastly, the information contained in the cotton agents' letters was confirmed and amplified a few days later by a Burmese scout who had also accompanied Mr. Margary into Manwyne, and by another Burmese, in the King of Burma's employ, who was at Manwyne when Mr. Margary was murdered, and when the force destined to surprise Colonel Browne came down, as the Burmese in question deposed, from Momein.

Mr. Elias had been stopped at Maing-mo on the inner route, partly by Li Chên-kuo, better known to us as Li Sieh-tai, who, however, appears to have confined himself to fair words; and partly by the chief of a reclaimed tribe, who stoutly declared that, passport or no passport, Mr. Elias should not pass into China by the road he wanted to take. He had accordingly turned back before he received intelligence of Colonel Browne's misfortune.

Mr. Elias had with him a Chinese servant, by name Wang, who parted with him at Maing-mo, and returned through Yün Nan to Hankow. He there stated, when he was first examined, that he had been protected by a safe-conduct given him by Li Sieh-tai. This he subsequently denied, affirming that Li had only given him one of his visiting cards, which had been destroyed by tear and wear.

Wang was sent down to Shanghae and I had him re-examined more than once. He contradicted himself no little, and, under an appearance of great simplicity, he discovered an evident anxiety to avoid all admissions that might reflect upon the Chinese authorities. This was natural enough; but he let fall one observation of some importance on the other side, to wit, that as he came back along the road to Momein search was being made for the servants of Mr. Margary, should any have escaped. When caught they were to be put to death. His uncle, who was one of these, had been killed already. He wished to go in search of his corpse, but was dissuaded.

Meanwhile, most of the particulars of the Manwyne tragedy had found their way into the Indian papers, and it is probable that to their reproduction in China is to be attributed the recommendation now made by the Grand Secretary Li Hung-chang, Governor-General of Chih Li, that a High Commissioner should be sent to Yün Nan. The measure, be it remembered, was that which I had in the first instance proposed, and which had been declared by the Tsung-li Yamên impossible.

It was now found practicable, and the Commissioner named was a man so high in office that on the score of position no objection could be raised to his nomination. This was Li Han-chang, the eldest brother of the Grand Secretary, Li Hung-chang; less distinguished for ability than his remarkable brother, but as Governor-General of Hu Kuang, filling one of the highest posts that a Chinese civilian can occupy. The step had been taken without reference to me. I thought none the worse of it for this reason, and having telegraphed to your Lordship that it appeared to me an omen of better things, I sent Mr. Grosvenor up to Hankow to wait upon the Governor-General, Li Han-chang. Mr. Grosvenor had been for some time at Shanghae with me, under orders for Yün Nan.

He found the Governor-General civil enough, but, to all appearance disposed to make rather light of the object of his mission. His instructions, he said, related to the murder of Mr. Margary only. He ignored the attack on Colonel Browne's mission, or the possibility of a second mission being sent by the same route. Mr. Grosvenor exhibited the passports I had obtained from the Yamên. The

Governor-General inspected them as curious novelties, and threw doubt upon the genuineness of the Yamên's seal attached to them. There was reason to fear that little was to be expected of the High Commission.

I had half hoped that a fresh Indian mission might be immediately sanctioned, and I had thought it possible that Colonel Browne, who was still at Shanghai, would, in that case, accompany Mr. Grosvenor to Yün Nan. His functions would have been distinct, but he would of course have proved a valuable ally. Various circumstances made this arrangement impracticable, and with my consent Colonel Browne left me for India.

Taking Mr. Grosvenor with me, I returned northwards, and I reached Tien-tsin at the beginning of August; my position, *vis-à-vis* the Government, now being that the High Commissioner's reception of Mr. Grosvenor had so shaken my confidence in the intentions of the Chinese Government as to render doubtful the expediency of dispatching Mr. Grosvenor to Yün Nan at all.

At Tien-tsin the Grand Secretary, Li Hung-chang, and the ex-Governor, Ting Jih-chang, since named Governor of Fuh Kien, were empowered by Decree to treat with me. They urged me strongly to return to Peking, and to allow Mr. Grosvenor to proceed to Yün Nan. I declined, unless I should receive guarantees that Her Majesty's Government was not about to be trifled with, and being called on to name my guarantees, I fell back pretty nearly upon my original programme of the month of March. The reply to my first report home of the demands then made, having instructed me that Her Majesty's Government would defer raising the question of indemnity until the result of the inquiry should be known, I made no mention of indemnity; but I demanded, if Mr. Grosvenor was to be sent,—

1. That a safe passage as far as the frontier, or across it, should be promised for my Secretary (Mr. Grosvenor) and a new Indian mission.

2. The immediate dispatch of a Chinese Envoy to England with a letter declaring the Emperor's regret for what had occurred.

3. The immediate issue of an Imperial Decree, in which Tsên Yü-ying, the Acting-Governor-General of Yün Nan, and Kuei Chou, should be censured from the Throne for delay in reporting progress.

4. The publication in the Peking "Gazette" of the Decree last-mentioned, as also of the Decree appointing the mission to England.

5. That intercourse between the Government and foreign Representatives should be immediately placed upon a better footing.

6. That the irregular taxation of our general trade should at once be rectified.

7. That regulation of trade across the Yün Nan frontier should be considered by any officer whom the Government of India might appoint as head of a new mission, and a Chinese official.

These propositions being referred to Peking, the Prince of Kung wrote to promise me an escort across the frontier of Yün Nan for a new Indian mission. A Decree was obtained naming two civilians Envoys to England; also a Decree censuring the Acting Governor-General Ts'ên for his dilatoriness. Copies of these were forwarded to me, but their publication in the "Gazette," though guaranteed by the Grand Secretary Li, was at once declared impossible by the Tsung-li Yamên. The Decree naming the Envoys was subsequently published, but the words representing "British Government" were so placed in the text as to oblige me to object to the discourtesy. I could not get a published Decree corrected, and I could only insist upon it that the Envoys, whom there suddenly appeared an extraordinary desire to hurry off, must not be for the present sent on their way. With a mission in England, and Mr. Grosvenor in Yün Nan, it was possibly assumed that pressure, moral or material, would be much restricted.

I had made a very great point of the publication of the papers in question, both on the general ground that, if properly framed, these Decrees constitute the most informing affirmations that can be desired of the relations of outer nations with the Chinese Empire, and for the particular reason that, in the Decree of censure at all events, the people of China would see some evidence of the indisposition of the Government to identify itself with the perpetration of the Yün Nan atrocity.

They had as yet had no such evidence. The Decree appointing the High Commission of Inquiry entered into no details. The Tsung-li Yamên, indeed, professed to be almost without any. The Grand Secretary Li Hung-chang had heard at Tien-tsin of the outrage of the 22nd February, early in April. He had referred, in conversation with Mr. Mayers, the Chinese Secretary, to a letter he had received, reporting the attack on Colonel Browne, and he had remarked that it was singular no mention

should have been made of the murder of Mr. Margary. Yet, even on the 2nd of June the Yamên could only state that Yang, Acting Commander-in-chief of the Yün Nan army, and Chên, an Intendant of the province, had been sent to Manwyne to prosecute inquiry; and this, although placards referring to the outrage had appeared in Peking, being duplicates of placards posted in a city in Ssü Ch'uan; while, in Hu Nan, a magistrate to whom a British missionary had applied in his difficulty, referred the applicant to the fate of Mr. Margary as a warning.

These circumstances apart, it was not to me comprehensible that the Central Government should have been left upwards of three months without information, more or less definite. In no country in the world do official reports more abound. Events of far less gravity than the Yün Nan affair would instantly have become the subject of voluminous memorials.

My own version of what had occurred on the frontier had been given after my return to Tien-tsin, not only in conversation with the Grand Secretary, but in a note dated 20th August, addressed to the Prince of Kung. I should have preferred to be less explicit until later, but it was urged, plausibly enough, that the Chinese Government knew not of what precise sin its servants were accused.

But to return; as I have stated, the Grand Secretary Li's engagement regarding the publication of the Decree of censure had been set at nought by the Yamên; the Minister who declined to give effect to it observing to Mr. Mayers, the Chinese Secretary, whom I had sent before me to Peking, that it did not follow that what the Grand Secretary might agree to at Tientsin would be ratified at Peking. On the 5th, 6th, and 7th of my guarantees, the Grand Secretary had declared himself incompetent to speak. The Tsung-li Yamên having, however, signified a willingness to treat of these, I had closed my discussion with his Excellency Li, and on the 12th September, I returned to Peking.

The High Commissioner Li Han-chang, after a delay of two months, had started, on the 18th August, for Yün Nan. Shortly after I was given to understand that Li Sieh-tai had been brought a prisoner to the capital of the province. This was an indication of change worthy of attention. The name of Li Chên-kuo had been put forward by me on receipt of the first telegram from India as that of the one person known by name as connected with the attack. Yet he had been sent, after the attack, by the Acting Governor-General Ts'ên Yü-ying to Burma with a copy of the Decree announcing the accession of the new Emperor of China, and probably with a copy of the year's almanac. These are forms observed in the intercourse between China and her tributary neighbours. The officials usually deputed are members of the establishment of the province conterminous with the tributary State; civilians filling the higher provincial offices; men of higher grade than Li Chên-kuo, who had but local military rank. The selection of such a man at such a moment, and the somewhat distinguished reception accorded him in Burma, had naturally seemed to the Indian Government, then on the point of entering into negotiations with the Government of Burma, to require special explanation, and it was exacted accordingly. On the side of China, meanwhile there had been, earlier, an attempt to produce an impression that the most either Li Chên-kuo or any other official in Yün Nan could be charged with, was neglect of duty in not preventing the attack upon Colonel Browne; this being attributed to the savage tribes along the common border of Yunnan and Burma. Later, a disposition was shown to admit that Li Chên-kuo was more directly culpable than any other official, but still guilty of nothing worthy of death, as he was certainly not responsible for the murder of Mr. Margary. The inexpediency of requiring his life had further been urged upon me, on the ground that he was the one person capable of restraining the wild people through whose country we were about to trade. He was known, as I have said, to have been a staunch adherent of the Imperial Government throughout the Mahometan rebellion in Yün Nan, and I had attributed to this in no small degree the anxiety manifested to screen him. His arrest proved to be a fact. I have now every reason to believe that he was either decoyed to Yunnan-fu, or captured elsewhere by stratagem.

When I returned to Peking on the 12th September, I found that in reality I had effected nothing towards securing improvement in respect of diplomatic or commercial intercourse, and without some security in this direction I had, I felt, no guarantees in the sense I required. The late Grand Secretary, Wénsiang, though authorized, on account of ill-health, to absent himself from Court and from all duties requiring his appearance in public, was still the real director of foreign affairs in the Tsung-li Yamên. It was mainly due to the influence of this distinguished official that, in 1860, this Yamên, the Chinese Foreign Office, had been founded. From the beginning of

the late reign, in 1861, when the Camarilla was overthrown which, under the deceased sovereign, had terribly misgoverned the Empire, and on the accession of his infant son had usurped the supreme authority, Wênsiang, as member of the Great Council, the real centre of rule, had made a gallant effort to restore good government to the country. Though by no means of first-rate ability, he was indefatigably industrious and thoroughly clean-handed, and he had risen deservedly to the second highest post in the civil service. His grand defect was his jealousy of competitors, which grew with the growth of his repute for devotion to the service of the State, and this, in his latter years, made him hopelessly opinionative.

In foreign policy he had at one time shown fair promise of a progressist disposition; but this had been chilled, indeed extinguished, by various disappointments experienced, some at the hands of his own countrymen, some at the hands of foreigners. His attempt to form a university at Peking, for instance, in 1867, had been actively thwarted by some of his Chinese colleagues. The Commercial Convention negotiated in 1869 had been rejected by us. These were, perhaps, the most remarkable among the checks he had sustained. He missed no opportunity of complaining bitterly of both. The missionary question was also from the first among the most irritating of his grievances. His health was now seriously shaken by long sickness, and he had lost the self-command which had once characterised him. His ambition appeared to be simply that, especially in foreign affairs, he should leave behind him a name as leader of the ultra-conservative, or reactionary, party.

It was to the Grand Secretary Wênsiang's opposition that I am compelled to attribute a large share of the difficulties that at this crisis, September, 1875, I found I had to face. His irritability had made him perfectly unreasonable. On one occasion he condescended to suggest that Colonel Browne had been attacked by Mahometan rebels disguised as Chinese troops. Had it not been for the opportune appearance of the Grand Secretary Li Hung-chang, in Peking, upon business concerning him as Governor-General of Chih Li, it is possible I should not have been able to negotiate the arrangements on concession of which I eventually allowed Mr. Grosvenor to proceed on his mission. Failing some such guarantee of improvement, I was resolved rather to dispense with the mission altogether.

Of the progress of the controversy I shall say little. The promised discussion of the fifth, sixth, and seventh of my propositions earlier enumerated, after about a month's debate, came to nothing, and I was more than half prepared, as I intimated to the Tsung-li Yamên, to withdraw the Legation. I had, however, abandoned this intention, and had determined instead to send Mr. Grosvenor to England, when I was given to understand that I had been on one point or other misunderstood, and I reopened negotiations. They still halted, however, and I intimated that unless satisfactorily concluded by the 29th September, I should not after that date resume them without putting forward fresh propositions. The day of grace did pass, and but part of my demands had been agreed to. I thereupon withdrew the whole, and pointing out that what I sought was not, as the Yamên evidently supposed, the material advantage of this or that concession, so much as the guarantee of good faith that the removal of standing grievances might be held to afford, I now pressed for the publication either of the Decree and Memorial (of the preceding August), in which the dilatoriness of Ts'ên Yü-yìng, the Acting Governor-General of Yün Nan and Kuei Chou, had been censured, or of a fresh Decree, ordering that functionary and the Momein officials to Peking.

This demand occasioned the most serious perturbation. It may fairly be contended that I should have done well to adhere to it. Had the Government yielded the point, however, I should still have been months, I might have been years, from the achievement of my object, which was at the same time less the conviction, always a doubtful matter, of the high officer I believed guilty, than the lesson that would be taught by the publicity of such proceedings on behalf of foreigners as the Government might take. After due deliberation, I consented to substitute for the Decrees I had asked for, one that should recal the attention of the Provincial Governments to the Treaty provisions affecting right of travel under passport.

This was agreed to, and my guarantees then stood as follows:—

1. A mission was to proceed to England with a letter of apology. This had been conceded in August, and the Decree naming the Envoys, though not the object of their mission, had been published in the Gazette. As stated above, I had had to object to the form in which the British Government had been mentioned, and I now thought it better that the Envoys should not go home until Mr. Grosvenor's inquiry had taken place. They must otherwise have been the bearers of an apology for an offence

not proved or admitted, by tender of which a due measure of reparation was to be abated.

2. The Chinese Government was to escort a mission, whether going or coming, across the Yün Nan frontier. This had been conceded in September.

3. There was published in the Gazette of the 28th September a Decree replying to a Memorial from the Tsung-li Yamên upon diplomatic intercourse. The Memorial itself was published the following day. Both were valuable documents, of which I shall have more to say.

4. Mr. Hart, the Inspector-General of Customs, received instructions by the Yamên to report upon the taxation of foreign trade. I had volunteered to accept the issue of such instructions, as, for the time being, a fair instalment of my requirements under this head. Mr. Hart's own representation and the despatch acknowledging it, and containing his instructions, had been shown to me.

5. I was promised that, whenever a British officer might be sent to Yün Nan for the purpose, a competent Chinese official should be deputed to confer with him on the regulation of the Burma frontier trade. I volunteered the proposal that until the inquiry now to be instituted were concluded, this trade question should be left in abeyance.

6. Upon the 10th October there appeared in the "Gazette" the Decree for which I had stipulated, directing the attention of the Provincial Governments to our Treaty rights in respect of passports. It also made allusion to the murder of Mr. Margary. I had stipulated that it should. There had been until this no public mention of the outrage.

The most important of these measures, for the reason I have more than once stated, was undoubtedly the third. The Tsung-li Yamên, (and in the Yamên were included four of the five members of the Grand Council,) had represented, and the Imperial Decree issued in reply had publicly acknowledged, that the Empire was about to establish Missions abroad, and that, in Peking, the intercourse between foreign Representatives and the high officers of China was to be placed on a footing more in harmony with the relations that exist in foreign capitals between the chiefs of departments and accredited Agents. The establishment of Missions abroad had not been immediately suggested by my demand for a Mission of apology. It had, as I was aware, been debated some time before the Yün Nan affair came on the *tapis* . Still, but for this affair, as one of the most reactionary members of the Government had remarked, years might have elapsed before any such Missions were organized. What I prized most, I confess, was the publicity of the step now taken; the publicity of the admission in connection with such a question, that "the circumstances of the past and present time are not the same." For it is this difference between past and present that, to the great prejudice of its peace, the Chinese Government has ever shown itself so reluctant to avow to its subjects.

Even now, the value of the avowal was diminished by the fact that one-half of the Memorial of the 28th September was given up to a demonstration of the inability of China, in papers addressed to or emanating from the Emperor, to use such terms or forms as indicate the equality of foreign Governments with that of the Emperor.

Similarly, in the Decree relating to passports issued on the 10th October, the merit of the paper was no little reduced, the circumstances of its origin considered, by the devotion of an unnecessarily large space to the provisions for the arrest and transport of foreign wrong-doers furnished with passports, or travelling without them. The right of the Chinese Government under these provisions has never to my knowledge been challenged; and there has been but rare occasion for its exercise.

The good and the evil balanced, however, I felt justified in dispatching Mr. Grosvenor to Yün Nan. He had already under his orders Mr. Baber, a very competent interpreter. I subsequently added to his Mission Mr. Vice-Consul Davenport, whose experience as Assessor in the Mixed Court of Shanghai, and his acquaintance with law, I thought might make him of use in the collection and examination of evidence. An additional reason for the appointment of Mr. Davenport was the nomination of Chên, the Chinese Assessor of the same Court, to a subordinate post on the staff of the High Commission of Li Han-chang.

I accordingly proceeded to Shanghai to place myself within telegraphic range of London, and to give Mr. Grosvenor his instructions. The substance of those already approved by your Lordship I do not think it necessary to repeat, but I shall mention that, on reperusing my correspondence, I find I must have omitted to forward a supplementary despatch, in which I referred to the possible application of torture to the

prisoners or witnesses produced in the courts of Yün Nan. Should this be attempted, the gentlemen present on my behalf were to remonstrate and withdraw.

I was sensible that this would be tantamount to an abandonment of the prosecution. Chinese having anything to conceal would in most instances conceal it, before a Chinese tribunal, unless it were extorted by torture, and, in a doubtful case, their authorities would be as likely as not to mistrust a statement unless torture were applied. Should the prosecution break down because we refused to consent to the use of torture, our *quid pro quo* therefore must be the lesson that would be given by this proof that, interested as we were in the conviction of the guilty, we preferred to forego it rather than obtain it by a process that we condemn as inhuman.

Mr. Grosvenor's mission left Hankow on the 5th November. I returned northwards, and at Tientsin I visited the Grand Secretary Li Hung-chang. Besides other matters, the Yün Nan affair was, of course, more or less discussed, and it appeared to me that the Grand Secretary's object was, first, to exonerate the Acting Governor-General Ts'ên from all but the formal blame to which, as superior of a jurisdiction in which anything goes wrong, he was, before Chinese law, liable; secondly, to obtain some kind of assurance that, in the case of Li Ch'ên-kuo, capital punishment would not be insisted upon. I told him that, if the precise truth were told us, it might be possible that no one's life would be taken; the object of punishment being, according to our civilisation, not retribution, but the prevention of crime.

The Grand Secretary, in the course of the evening, said something about the addition of a retired mandarin, named Hsüeh Huan (or Sieh Huan), to the High Commission. The person in question had been long known to me, both in the provinces and in Peking. In Peking he had been for some time a member of the Tsung-li Yamên. He was notoriously anti-foreign. He had at the same time made himself, by his pretentiousness, so obnoxious to his colleagues in the Yamên, that he had been allowed to return home to take care of his parents; a common form of dismissal into private life.

I expressed myself very strongly against his appointment, which, at the same time, I did not understand to have been as yet confirmed.

I had not been long in Peking, however, before its confirmation came upon me in a fashion anything but acceptable. On the 9th December a Decree appeared acknowledging a memorial received upon the Yün Nan affair from Li Han-chang "and colleagues." The colleagues, it presently appeared, were the objectionable Sieh Huan, and the Acting Governor-General Ts'ên Yü-ying. Sieh Huan, the memorial showed, had been named Commissioner so far back as the 7th September; his nomination, I could not doubt, being purposely concealed from me; while the Acting Governor-General was a person into whose conduct, after all my representations, I was certainly entitled to expect that the High Commissioner Li would have been directed to inquire.

The tale told by the memorialists augured as ill for judicial satisfaction as the composition of their Commission. It was in the main but a second edition of that in which I had declared my disbelief in the summer. It repeated that the attack on Colonel Browne and the murder of Mr. Margary were the act of savages, moved by the hope of booty. With these, it said, were leagued outlaws of China. The combined force having taken advantage of the excitement occasioned in Momein by the rumour that we were bringing in troops, and by the consequent calling out of volunteer levies. The sub-prefect, Wu Ch'i-liang, and the brigadier, Chiang Tsung-han, the civil and military authorities in the Momein country, were suspended by the Decree, which further ordered their trial on the charges of a lack of vigilance before the outrage, and inactivity after it; formal offences, the punishment of which might indeed be exile to the north frontier for life, as in the Tientsin massacre; but then, as in that case, the sentence of exile might, in two or three years, be revoked.

It is a coincidence not to be lost sight of, that the port of Tientsin was just closed as these papers were published. I was, therefore, fast in Peking for the winter. Mr. Grosvenor was a month on his way towards Yün Nan. He was proceeding by the more lengthy route suggested by the Grand Secretary Li Hung-chang. The impression produced on me by the publication of the papers above referred to, and by their tenor, was so unfavourable that I was strongly disposed to recall the mission of inquiry.

After some deliberation I decided against this step; but I sent Mr. Grosvenor revised instructions by an official courier of the Chinese Government and by two other channels. He was to hear what any witnesses produced might have to say; to avoid discussion if their evidence were greatly at variance with the truth, as already known to us; to tarry in Yünnan Fu, where he would find the High Commission, as short a

time as possible; and to pass out of the province by way of Burma. The last injunction cancelled an option I had earlier left his Mission as to choice of routes.

The Government messenger also carried a note to the High Commissioner Li Han-chang, to the effect that, whether official or non-official, no prisoner in the case must be punished until reference could be made to the Central Government by the Commission, and to myself by Mr. Grosvenor. He had been instructed to insist upon this condition.

I had never had for a moment the smallest fear regarding the safety of Mr. Grosvenor and his staff. The responsibility of the Chinese Government was too openly engaged. But I felt that I must be prepared for such treatment of the case before me as might sorely tax our forbearance, and with Mr. Grosvenor's mission still in Yün Nan menaces would be useless. Coercion would not have been supposed possible, and, as matters now stood, it appeared not unlikely that a resort to coercion might sooner or later have to be threatened. This apart, the security of our port communities, less against violence from without than against the great danger of panics within, appeared to me to call for the representation I now made that it would be advisable to reinforce our China squadron.

In the discussion that followed on the publication of the Decree of the 9th December, explanations were offered of the association of Ts'ên Yü-ying with the High Commission, of the nomination of Sieh Huan, and of the suppression of the Decree authorizing this, while a Decree of the same date was communicated to me, which were the reverse of satisfactory. Much stress was also laid upon the ignorance of the local authorities regarding the movements of Mr. Margary, who, I affirmed, had at least twice written from Bhamo to advise the Chinese of his approaching return. The Chinese Government denied that his letters were ever received, and it is, I admit, possible that they had not been. Still it must not be forgotten that, as Mr. Margary journeyed south two months before his murder, letters between him and our Agency at Bhamo had passed and repassed without difficulty.

The papers last laid before Parliament (China No. 4, 1876) carry the story of Yün Nan discussion down to the 7th April. I had expressed my entire dissatisfaction at the appearance of the High Commission's Memorial above referred to, when I read in the Shanghai newspapers that fourteen men had been sent up from the country in which Mr. Margary was murdered to the provincial capital; that two had died on the road, and that the remaining twelve did not speak Chinese. I wrote to the Prince of Kung for information. I was told in reply that in the month of October the Acting Governor-General had reported circumstantially the capture, after a fierce resistance, of certain savages in a strong position in the mountains. In their cavern had been found various property belonging to Mr. Margary. They had left Momein for Yünnan Fu on the 18th September. These details had not been communicated to me because I had so emphatically refused all credit to the earlier representations of the officials Yang and Chên, stated to have been made after their visit to Manwyne.

It was proved in good time that my incredulity was not without foundation. These two mandarins assured Mr. Grosvenor that they had never been near Manwyne in their lives.

Upon the 24th January, 1876, appeared a Decree acknowledging a second Memorial from the High Commissioners. The day following appeared the Memorial itself. This latter was to the effect that, according to Li Chên-kuo (Li Sieh-tai), the notables of Momein, on hearing that a large foreign force was about to enter their country, had called out their Trainbands for the protection of their persons and property. The sub-prefect, Wu, the authority responsible for the control of the Momein district, affirmed that he knew nothing of all this. The savages admitted their attempt to plunder the foreign Expedition, but explained the murder of Mr. Margary as an act done in self-defence, he having shot one of their band. They refused to divulge who it was that had instigated them to attempt the robbery. Officers deputed by the High Commission to make inquiry had found that Mr. Margary's murderers had secretly gathered together to prevent foreigners entering the country; and that all this was the doing of Li Chên-kuo. He, however, was not on the spot when Mr. Margary was murdered, nor did any Government troops take part in the affair.

The peculiar position of the persons we mention sometimes as notables, sometimes as the elders and gentry, in China, deserves a word of explanation. The term includes the men of literary degree; men of property, who, however, will in general have either a degree or purchased rank; men of official connections; retired officials. In time of trouble, of rebellions, or foreign wars (which, by the way, are in Chinese theory acts

of rebellion), the work of defence devolves in no small part upon Train-bands, raised, paid, and not unfrequently led, by the notables of the locality.

In the jurisdiction of Momein the population is made up, to the westward, of tribes not of Chinese origin; but there is withal a considerable Chinese population, which during the Mahometan insurrection stood manfully by the reigning dynasty. The notables of Momein would, of course, be Chinese, and their committee-room, according to one statement in my possession, was in the Yamên of the Sub-Prefect, Wu Chi-liang; the official who knew nothing about what was going forward. The half-breed Li Chên-kuo had been one of their most valued partisans during the late insurrectionary war.

The Memorial further stated that Li Chên-kuo had, some time between April 6th and May 4th, 1875, forwarded to the Acting Governor-General, Ts'ên Yü-ying, two letters addressed him by the notables of Momein, observing withal that he was actively preparing for the defence of the frontier. Ts'ên Yü-ying wrote to him to keep the people quiet; but this was unfortunately after the affair (the attack on Colonel Brown of the 22nd February) had taken place. Li Chên-kuo, therefore, ought to be brought to trial, and with him the sub-prefect, Wu Chi-liang, and the brigadier Chiang Tsung-han.

I shall not here further analyse this report; but it is worth remark that in the authenticated copy supplied me a day or two later by the Prince of Kung, there were one or two additions to the text as published in the Gazette of some significance. In this, the authentic copy, the Memorialists were shown to state that they had found "manifest falsehoods and suppressions," not only in the depositions of the savages, but also in those of the sub-prefect and of Li Chên-kuo.

It must not be overlooked that I had in the first instance laid great stress upon the known presence of Li Chên-kuo upon the frontier, and upon the fact that the party attacking Colonel Browne had loudly declared themselves to be under the command of his nephew, who was spoken of as *shouk-goon*, a term doubtfully interpreted, but believed to represent *Siao-hung*, the name of a follower of Li.

I foresaw what manner of conclusion was about to be forced on me. Li Chên-kuo, whom I had denounced, was to be convicted of exciting the people, but acquitted of murder. The life of a man who had done the State good service would thus be spared, while punishment might be inflicted on him against which the remonstrance of a person otherwise so comparatively insignificant as Li would be vain. The sub-prefect Wu might be degraded for neglect of duty. If I wanted blood, that of the savages, the alleged murderers of Mr. Margary, would be shed. The Acting Governor-General, Ts'ên Yü-ying, would be found guilty of no wrong. He had warned his subordinate to be cautious as soon as the latter reported his contemplated action.

To admit this would be to admit that the Acting Governor-General, more than a month after the attack on Colonel Browne, had still heard nothing of it; nothing either when he sent Li Chên-kuo to Burma on a special mission to proclaim the new Emperor of China. Of Wu Chi-liang's knowledge of what was passing in his sub-prefecture we had to learn more some weeks later from the notables themselves.

My chief concern was now to stop the publication of these reports, to my eye, transparently untruthful. To say nothing of the evidence in my hands of the true character of the outrage, no Chinese who read the official accounts affected to believe them, and the danger to be guarded against was the precipitate issue of an Imperial Decree committing the Chinese Government to this assertion or that decision, from which, in that it emanated from or was approved by the Throne, there would be the most serious difficulty in withdrawing. Experience of similar dilemmas warranted, on my part, any form of protest that I might hope to find effectual.

Meanwhile an incident occurred which I at first flattered myself betokened a desire to redeem at least one of the pledges given me in September 1875, when the Imperial Decree, issued at my instance, had admitted the expediency of withdrawing the interdict laid upon intercourse between the foreign Corps Diplomatique and the high officers of the Central Government. When my colleagues and myself paid the usual China new-year visit at the T'sungli Yamên, we found almost all the Secretaries and Under-Secretaries of State assembled to receive us. This courtesy, however, led to nothing farther. There were circumstances, indeed, later disclosed, which made it doubtful whether it had better not have been foregone; so manifestly distasteful was it to a large majority of those whom an Imperial command thus forced into contact with the foreigner. It was nevertheless a beginning of beginnings, which has since borne fruit. Of the pledge regarding inland taxation, although Mr. Hart had sent in his report to the T'sungli Yamên, there was as yet no sign of redemption.

In the middle of February I received a note from the High Commissioner Li, to whom I had forwarded, through the Yamèn, letters for Mr. Grosvenor. It adverted to the capture of the savages, and the suspension of the peccant officials; promised all assistance to Mr. Grosvenor; but otherwise added nothing to what was already before me. I made its receipt the occasion for an inquiry whether the Yamèn had no fresh news. I was assured that none had been received.

It had been more than once implied that the choice of the more circuitous route was causing delay for which Mr. Grosvenor was responsible. I had no trouble in showing that the route followed was that which the Grand Secretary Li Hung-chang, who had been directed to find an officer to accompany Mr. Grosvenor, had himself prescribed.

At last, upon the 3rd April, a letter was received from Mr. Grosvenor with the glad tidings that he and his party had reached Yünnan Fu on the 6th March in good health. The High Commissioner's Memorials, those so hastily gazetted in December and January, had come quicker, and the Yamèn, outside information led me to suspect, was now in no hurry to communicate intelligence. This suspicion was confirmed by the suggestion presently made at the Yamèn, that Mr. Grosvenor might just as well remain in the province until the question of frontier trade was disposed of.

A copy of the document which I had instructed him to require from the High Commissioner Li, undertaking that no one should be punished for the Yün Nan outrage without reference to Peking, was, however, forwarded me, and on the 21st April the Yamèn further transmitted a packet from Mr. Grosvenor containing statements purporting to have been made, voluntarily or under cross-examination, by Wu, sub-Prefect, and Chiang, Brigadier, of Momein; by Li Chên-kuo, otherwise Li Sieh-t'ai; by his nephew, Li Han-hsing; and by the savages charged, as principals or accessories, with the murder of Mr. Margary.

Before further referring to these papers I shall observe that, although the Government of Yün Nan had sent officers to Bhamo as far back as the 19th December, to bring up certain stores sent round from Shanghai, and which Mr. Grosvenor had written to Yünnan Fu to say he should require, difficulty appeared to be made on his arrival by the High Commissioner regarding the passage of persons or letters between that city and Bhamo. The frontier he said was unsafe. But, as Mr. Grosvenor was enabled to inform him, letters from Bhamo had reached the Mission by the hand of a Burmese courier. Chinese messengers had declined to carry them, but because they feared the displeasure of their own authorities.

To come now to the investigation :—

Mr. Grosvenor having declined to discuss the Yün Nan outrage until he had received the written assurance I required, that no one should be punished without a reference to Peking, and, having obtained this assurance, was next put in possession of a statement prepared under the High Commissioner's authority by his deputies, on information collected from various sources. In particular, Li Shêng, a military officer, had visited Ta-li Fu, Momein, and Manwyne in disguise.

Mr. Margary's murderers, it was again affirmed in this paper, were robber savages of the hills, aided by Chinese fugitives from justice. He was on his way back from Manwyne to rejoin Colonel Browne when they met him, about five miles from Manwyne, and demanded black-mail. He shot one of them, and was cut down with four of his Chinese attendants.

The attack on Colonel Browne was distinct from the murder. According to the testimony of a number of the notables of Momein, that attack was entirely the doing of Li Chên-kuo, the man denounced by me. The Momein notables had been alarmed by the news that foreigners were coming. They understood, further, that their advent was to be taken advantage of by Mahometan refugees who had escaped into the wild men's country. They, the notables, therefore wrote to Li Chên-kuo "to arrange with the foreigners not to allow the rebels to accompany them." Whereupon he, Li, levied supplies freely of the Momein notables, and prepared to stop Colonel Browne. To none of this, however, such was his obstinacy, would Li plead guilty.

The above, when details, in my belief, borrowed from my own despatch of the 20th August, 1875, are set aside, very fairly represents the case which the High Commission had put forward as "a thoroughly trustworthy account of the affair." It was added that the band of outlaws who had attacked Colonel Browne were accompanied by a number of Li Chên-kuo's personal retainers, as well as by some of the robbers who had killed Mr. Margary.

On whose evidence the last averment was made is not clear. Not one of these personal followers of Li Chên-kuo was produced at the trial. Neither

were there produced any of the large number of Momein notables stated to concur in fixing the responsibility of the movement of the 22nd of February on Li Chên-kuo. Li Shêng, the detective deputy, did not either appear.

The trial, so called, was held in the Yamên of the Provincial Judge on the 20th March, Mr. Davenport and Mr. Baber being present. An attempt was made to place them either so that they should hear nothing, or should not appear to be taking part in the proceedings. Mr. Grosvenor had foreseen the possibility of some such manoeuvre, and had instructed his deputies to be on their guard. They stood out, accordingly, until an arrangement was made which they could accept.

There were then called before the Court eleven savages; the Brigadier Chiang and the Sub-Prefect Wu; Li Han-hsing, nephew of Li Chên-kuo, and the last named Li himself. His identity was established by his answer to a question regarding the mission on which he was sent to Burmah. His evidence, as might be expected, was of no great value. Of as little was that of his nephew, the only Chinese with Mr. Margary who had escaped with life. The officials, Wu and Chiang, can hardly be said to have been called up as prisoners. Their brother officials behaved to them as if they were still in office. This, however, need not be pressed too far. I have heard of officials condemned to death being ceremoniously treated, even by their superiors, up to the moment of their execution.

The savages manifestly did not understand more than the questions to which answers had been prepared, and even in these there was enough to discredit the evidence.

Mr. Margary's murder, for instance, it had been alleged, was the immediate consequence of his shooting one of his assailants. When the linguist who interpreted what the wild men said "was asked to indicate the man wounded by Margary's first shot, who, according to the depositions, was Erh-kon, he first replied that the man was not present. Ching Taotai [one of the Court] then suggested that it was Erh-kon, whose re-examination, by the way, has it that the wound was inflicted by a sword; but on the question being put repeatedly to Erh-kon, the savage denied having been wounded at all, with so convincing an air of disdain, that the linguist had no alternative but to reply to the same effect." (Report of Messrs. Davenport and Baber.)

Mr. Grosvenor was now invited to be present at a court presided over by the High Commissioners, at which the accused would again admit their guilt, and subscribe their confessions. He very properly refused. He protested emphatically against the insufficiency of the explanations tendered him, and having pointed out the discrepancies between the story we had good ground for believing, and that which we were now called on to believe; having commented in particular on the non-production of a single eye-witness of the attack on Colonel Browne or the murder of Mr. Margary, he left Yunnan Fu for Manwyne. An escort sent by the Government of India, as the Chinese Government had been duly apprised, was waiting for him within the Burmese frontier.

The papers handed to him, summarized above, reached Peking, as I have mentioned, towards the end of April. A rapid perusal of them sufficed to prove that towards the conviction of any supposed delinquent they were utterly valueless.

The Ministers of the Tsung-li Yamên came in a few days to tell me that they had been directed by Imperial Decree to confer with the Board of Punishments (the High Court of Criminal Justice), and, conjointly with that Board, to memorialize the Throne regarding the murder of Mr. Margary, and the sentences to be awarded.

I declined most positively to consent to the punishment of anyone upon the so-called evidence before me, and I protested very strongly against the publication of official reports the veracity of which I could not but impugn. The murder, I contended, was but the incidental portion of a far more serious outrage; that outrage being at the same time but the natural outcome of the anti-foreign policy of the Chinese Government. The manner in which the affair had been dealt with had convinced me that whatever had happened in Yün Nan had been done, if not by the direct order, at least with the approval of the Central Government, and as the case was now presented, I could not agree to the execution of any of the persons now incriminated, the Acting Governor-General himself included.

The pledges given in the preceding autumn were also, it became plain, to be ignored. The New Year visit above recorded was declared an adequate compliance with the Decree respecting intercourse with foreign Representatives. Mr. Hart's promised report upon taxation of foreign trade had been referred to the Provincial Governments, but it was in great part, said the Ministers, impracticable.

The High Commissioners' Memorials on the trial had not yet been formally communicated to me. Informally they had been; and I knew them to contain much

such a story as Mr. Grosvenor had been pressed to accept: that Mr. Margary had been murdered by savages; that Colonel Browne had been attacked by robbers, commanded by Mr. Margary's murderer; that Li Chên-kuo had organised the attack on Colonel Browne; that the Momein train-bands had not been moved out of Momein, had stood, that is, on the defensive only. In reply to my questions regarding the action it was proposed to take on these Memorials, I was informed that the savages would be found guilty of the murder, and Li Chên-kuo of instigating the attack.

On my application, these papers were officially communicated to me, and with them part of the correspondence between Li Chen-kuo and the notables of Momein who had invited him to take command of their train-bands for the protection of their homes against foreigners. This invitation was based on what they had heard from their authorities, which had led them to fear that Colonel Browne's mission was an invasion that it behoved them to resist. Li Chên-kuo, so far from encouraging them in their design, had evidently associated himself with it reluctantly.

This correspondence between him and the notables of Momein deserves special attention.

Mr. Margary arrived at Momein on the 3rd January, 1875. The first letter of the notables, marked Confidential, is dated the 2nd January. Amongst the papers forwarded me by Mr. Grosvenor from Yünnan-fu, as I have stated, was the deposition of Wu, Sub-Prefect of Momein. In this he mentions the receipt, on the 21st December, 1874, of a despatch of instructions from the Provincial Government upon the subject of Mr. Margary's errand. These open with the precise words with which the notables commence their first letter to Li Chên-kuo, the sum of which is as follows: They have just learned that the British Government is dispatching three Commissioners from Burmah into Yün Nan, and that Mr. Margary had been sent from Peking to meet them. Orders had been received from the authorities that he, Mr. Margary, was to be safely escorted on his way. But foreign intercourse was objectionable, as bringing with it annexation of territory, establishment of religious missions, and trade. The people of Momein, who had fought the rebels for near twenty years, would now farther prove their loyalty by excluding the foreigner. Mr. Margary should be sent out of the country in safety, but, when he returned, according to the precedent supplied by other provinces, mobs should assemble and hem him in tumultuously. He should be exhorted with righteous argument, but intimidated by hints of danger; and his artful invocation of assistance at the hands of the authorities thus prevented.

There is other matter of interest in this letter which precedes the appeal to Li Chên-kuo to come and take command of the train-bands of Momein, and to move the Shan tribes (who are distinguished from the savages beyond the border) to unite with Momein in keeping out the English; and in a second letter of the 10th January, in which he is informed that there will be a general gathering of the train-bands on the 13th. What is important to our case, however, is this. These letters were not possibly manufactured by the authorities, but they were not possibly authentic. In either case they were handed to us by the authorities as authentic, and they established, in my judgment, but one conclusion, viz., that the excitement, genuine or counterfeit, that they record, came of official inspiration.

Li Chên-kuo's note, the second of two that he wrote in reply, and dated the 7th February, is in a more sober strain. He had made arrangements with the Chiefs to hold the passes, but he warns his friends of Momein that the enterprise is ten times as serious as an affair with rebels, and that its success is by no means certain. If anything, says he at the close, should go wrong at Manwyne, "I must ask you, on information reaching your head-quarters, to render prompt assistance." I have implied that I do not put full faith in the authenticity of these papers. A point much relied on in the defence, be it remembered, is that the train-bands never moved out of Momein; took no part, that is, in the attack upon Colonel Browne; this being all the affair of the savages instigated by Li Chên-kuo, and supported by the Chinese outlaws, who were of course the Chinese seen during the attack by Colonel Browne. But, true or false, being put forward by the Chinese Government, they dispose of the Sub-Prefect's plea of ignorance. To say nothing of any other country, it is inconceivable that, in a centre of Chinese jurisdiction, such as Momein, action such as these letters show to have been taken between the 3rd and 13th January could even have been projected without the knowledge of the Chief Magistrate. As little probable is it that, after being advised by his superior, the Acting Governor-General, of Mr. Margary's mission, he would have ventured, without orders, to shut his eyes, if no more, to a great volunteer movement, the object of which was to prevent the entry of the party Mr. Margary was conducting into Yün Nan. Our experience forbids us to credit it.

Meanwhile the month of May was passing away, and the Central Government, I was relieved to see, as yet published nothing further. I had gone so far as to threaten an immediate breach of relations if the official reports I was obliged to pronounce undeserving of credit were issued as true to the Empire, or if any one of the persons declared in these to be guilty were punished. Still the object I now had in view was no whit advanced.

The decision of Her Majesty's Government to require ample satisfaction had been twice repeated. I had declined the satisfaction tendered as an aggravation of the injury done. The essential, if all punishment was to be foregone, was security for the future; some proof of a *bonâ fide* revision of the foreign policy of the Chinese.

Repeated conferences having brought no nearer any overture on the part of the Yamên, I determined to proceed to Shanghae. Mr. Grosvenor would meet me there with any information he might have collected after leaving Yünnan Fu, and I could then telegraph for instructions. Before starting I applied to be informed, categorically, what action, if any, was about to be taken respecting

1. Ministerial privileges;
2. Mr. Hart's Report on Trade;
3. The Yün Nan outrage.

I wrote also for the first Memorial of the Acting Governor-General Ts'ên, on which had been based the Yamên's own Memorial of the previous summer; also for other papers; also for the names of the gentry of Momein who had invited Li Chên-kuo to take command of their train-bands.

I was told in reply that Ministerial privileges and diplomatic intercourse must be left to develop themselves gradually; that Mr. Hart's Memorandum, being of immense length, no action upon it would be immediately promised; that the High Commission's account of the Yün Nan outrage was trustworthy, and that the punishments to be inflicted on their report would be a sufficient reparation. The documents I asked for were refused me, as being confidential; but the names of the notables, thirty-three in number, were communicated.

On the 26th May the Grand Secretary Wensiang died. I had already on the afternoon of the same day, taken leave of the Prince of Kung at the Yamên, and I had declined a visit from the Ministers on the 30th, when I was led to suppose that the Prince of Kung had a personal explanation to make, and it was arranged that his Imperial Highness should call at the Legation on the 31st. In the forenoon of that day, however, I received fresh information regarding the complicity of the Sub-Prefect Wu; information that I could not make public, without compromising the person from whom it came, but which justified me, in my judgment, in imputing to the Sub-Prefect the immediate instigation to hostility which it had been attempted to fasten upon others; and feeling certain that, as I have just said, the Sub-Prefect would not have ventured to take the part I had reason to believe he had taken, without authorisation, I demanded the citation to Peking not only of the Sub-Prefect, but of his chief, Ts'ên Yü-ying, as well also of the Brigadier Chiang, of Li Chên-kuo, and of the thirty-three notables who had signed the letter earlier mentioned as addressed to Li Chên-kuo.

Ts'ên Yü-ying was at this time no longer acting as Governor-General. The death of a parent necessitates the retirement from office of a Chinese official, and a Decree of the 21st April had relieved Ts'ên Yü-ying from his acting charge in order that he might mourn the death of his stepmother. Various memorials presented by him were published at the same time setting forth the services he had rendered during the Mahometan insurrection, and the consequent tranquillisation of the province. His withdrawal at this crisis was differently explained by the vulgar.

It was suggested by some that the Chinese Government, foreseeing that some charge in connection with our grief would be pressed against him which might involve his degradation, had allowed him a way of escape from this disgrace. Once in retirement, a Decree retrospectively censuring his conduct might be issued, which would not to the same extent humiliate the Government nor compromise the future career of the individual.

Another explanation was this; that he stood in danger of impeachment for his cruelty. Excessive severity in dealing with rebels is readily excused in China. When Yeh, in 1855-56, beheaded 70,000 persons at Canton (many of them brought in from the country by their own kinsfolk), the decapitation of 500 prisoners a-day seemed to shock no one. But it was not only that Ts'ên had put to death his thousands of rebels; he was accused of having broken faith with rebels to whom their lives had been promised, and to have massacred the innocent and the guilty alike. I had had some time

in my hands a memorial, of which I cannot doubt the genuineness, in which a high officer of Yün Nan had denounced him for various acts of misconduct, those just referred to among the rest. The Acting Governor-General was stated to have taken steps to prevent the transmission of this paper to Peking, and that it was not laid before the Throne is nearly certain; although men high in office had, I know, cognisance of the memorial. Offences so grave as those charged in it, once the Regents were publicly apprized of them, could not have been altogether condoned. But it would have been very unpleasant to the Court to be obliged on any ground to punish a man who had trampled out a rebellion so serious as the Mahometan movement in Yün Nan.

My own impression is that both issues, his barbarous conduct towards his own people, and his "mismanagement" of our affair, had their weight with the Central Government, when his retirement was permitted or directed. Whatever its occasion, the fact that he was now in retirement was the first reason alleged for his non-production when I demanded it. The removal to Peking of proceedings which, the Yamên argued, were closed in Yün Nan, was resisted on other grounds with greater show of reason; but the manifest alarm my new proposal created was suspicious. Not less so the spontaneous invitation to me at once to reopen negotiations on the questions, eminently the commercial question, satisfactory arrangement of which had so recently appeared impossible.

I did not then and there accept this invitation, but the conference being renewed next day, I eventually consented to hand to the Ministers of the Yamên a paper of propositions which, had I found the Yamên to my mind more reasonable, I had been earlier prepared to bring forward. These were debated during the fortnight ending 14th June, when I abruptly closed the discussion and quitted Peking.

It has been not unnaturally objected that it should never have been recommended; that if I held in my hands proofs of the complicity of the Sub-Prefect Wu, I should have put all aside save the prosecution of Wu and those above him. But the dilemma of the preceding September had nearly reproduced itself. As an example, the arrest and trial of these persons would have been excellent; but months must elapse before they could arrive, if their arrest were conceded, in Peking; and there was plausible ground for refusing their arrest upon a charge which, from the nature of my information, I could not as yet make more precise. I could not, in fact, bring forward my evidence until the parties I named were in Peking, and it by no means followed that I could then make sure of a conviction. Still, with the whole story that I had to tell before me, my demand was in itself just, and, should reference to Her Majesty's Government eventually have to be made, far too valuable to be lightly relinquished.

On the other hand, looking forward, I did not regard the alternative measure to which I was about to have recourse as an indifferent means to the great end of which I may say that I had never lost sight, the future security of relations assured us by the removal of causes of quarrel, and by extension of intercourse wherever it may be safely maintained.

On the 2nd June I communicated to the Ministers of the Yamên eight propositions, in substance as follows:—

1. If the prosecution were abandoned, a Memorial must be presented to the Throne by the Tsung-li Yamên recalling the circumstances of the attack upon Colonel Browne, as known beyond dispute, and the despatch of the High Commission charged to investigate the case. It was then to state that, as British Minister, I declined to accept the punishment of the persons found guilty by the Commission, on the ground that, however good before Chinese law, the evidence adduced against them would have been deemed insufficient to secure a conviction in England; and that preferring security for the future to reparation for the past, I recognised the issue of a Decree in reply to the Yamên's Memorial, in which, according to custom, the propositions contained in it as above would be summarised and approved, and which should farther refer to the protection of foreigners and observance of Treaty obligations. The draft of the Imperial Decree, I was aware, could not be shown me beforehand, but I required previous communication of the Yamên's Memorial. Both Memorial and Decree were to be posted in every town of the Empire.

2. I was to have the right of sending officers from time to time to see that proclamations embodying the above Memorial and Decree were so posted. These officers were to be accompanied, if I wished it, by Chinese officers.

3. The right of British officials to be present at any investigations affecting British persons or property in the interior of China (this right, it will be remembered, having been twice in the foregoing controversy disputed) was to be formally admitted.

4. A Chinese officer was to be at once appointed to consider with mine the arrangements needed for regulation of the frontier trade of Yün Nan.

5. I was to be authorized, if I saw fit, for five years to come, to station one or more Consular Officers at some inland centre of Yün Nan, to observe the conditions of trade in that province; also at Chung-king Fu, the great mart of Western China, in the Province of Ssü Ch'uan; the circulation of imports in Ssü Ch'uan having been of late seriously obstructed by the officers charged with collection of the abnormal trade-tax known as *li-kin*.

6. The Yamên was to write a Circular to the Representatives of the Treaty Powers, admitting the right of foreign imports to clearance of barrier dues by certificates, no matter what the nationality of the carrier, and to state that the Chinese Government was prepared to give foreign shipping access to every port, whether on the sea-coast, lakes, or rivers, at which it would pay to put a foreign Customs Collectorate. This, I contemplated, would open Taku-shan, Yo-chou, I-ch'ang, Ngan-ch'ing, Wu-hu, Nan-ch'ang, Wên-chou, Kapchi, Shui-tung, and Pak-hoi.

Against these concessions I engaged,

(1.) To make rules to prevent illegal evasion by Chinese carrying Chinese produce, of the *li-kin* duties due upon such produce. This will need further remark.

(2.) To recommend Her Majesty's Government to consider—

(a) Readjustment of the import duty on opium.

(b) Facilitation of the collection of *li-kin* on opium in the area within which I had always contended that all other imports should be exempt from *li-kin*.

(c) Sanction of rules that might ensure collection of *li-kin* on all opium arriving in China, provided that one uniform rate of *li-kin* were declared for all open ports.

(d) The expediency of consulting the other Treaty Powers upon the whole question of inland taxation in China.

7. A Mission was to proceed to England bearing a letter from the Emperor of China to Her Majesty, expressing regret for what had occurred. The draft of this letter was to be first shown to me.

8. The amount of indemnity needed to cover payments to the families of Mr. Margary and of the Chinese servants murdered with him; the losses sustained by Colonel Browne's expedition; and the expenses occasioned from first to last to the Government of India, was to be left to Her Majesty's Government. This last item had been swollen by the necessary provision of a strong escort to bring Mr. Grosvenor across the Yün Nan frontier. Independently of this, the dispatch of the Flying Squadron from India to China had proved a serious charge. Whether the expense of this reinforcement was to be met by the indemnity was also to be decided in England.

I did not propose, under my instructions, to name any sum. I had explained more than once, that the indemnity might now be fixed at a much larger sum than I had named in the first instance, but that, on the other part, it was equally possible that Her Majesty's Government might decline to claim any indemnity whatever. In any case, my stipulation was simply that the question should be referred to England. If my propositions were acceded to, I would telegraph that, with the exception of the indemnity, the Yün Nan affair was settled. If they were rejected, the note already written and read, though not forwarded, on the 29th May, in which the production of the ex-Governor Tsên and those with him was demanded, would be presented, and if this demand were then refused I would withdraw the Legation, and would recommend Her Majesty's Government, as in 1860, to exact reparation.

The Ministers were very guarded in their remarks on these propositions, but accepted them as a basis for argument.

They observed—

(1.) That the proposal to place officers in Yün Nan was new;

(2.) That the port area question presented difficulties;

(3.) That now that I had opened negotiations respecting trade, the letter demanding the trial of the Yün Nan officials would, of course, not be presented.

I explained, in answer to their observations, that I did not propose to establish communities at Talifu and Chungking, but to post officers there for five years to report on the trade.

The 6th proposition I presently modified, proposing that, instead of writing a Circular, the Prince of Kung should address official notes to me in regard to the taxation of imports, the area of the ports within which *li-kin* is not leviable, and the taxation of opium. The question of new ports I was willing should be left to the German Minister, who was then engaged in the revision of his Treaty.

This, after long debate, resulted in nothing, and when on the 4th of June the Ministers called on me, I informed them that as they had not accepted my propositions, I should now send in the note demanding the trial of the Governor-General of Yün Nan at Peking.

This again led to a re-opening of the discussion of my propositions, the sixth of which I modified as follows:—

The Prince of Kung was to address a note to me, declaring

1. That imports carried inland by Chinese are subject to no charge in excess of what they would be liable to if carried by foreigners;

2. That the port of I-ch'ang would be opened at once.

The note was also to request me to invite my colleagues to consider with me the adoption of one of two schemes for the improvement of commercial relations, and to consent either—

(A.) To define a port area within which no *li-kin* should be levied on foreign imports, opium excepted; or

(B.) To free imports from all farther taxation on payment, when landed, of half duty in addition to the Tariff duty.

(If this last condition were adopted, the Chinese Government would consent, in return for the concession of the half duty, to open all the coast, &c., to foreign shipping, and to exempt all imports (opium excepted) from *li-kin* or other taxation, whether at the ports or inland.)

Either scheme being agreed to, the Chinese Government would open certain other ports along the sea coast, rivers, and lakes of the Empire; but ports so opened (I-ch'ang excepted) were to be regarded as inland centres, where the half duty would be levied on all imports landed.

The Ministers offered to open the port of I-ch'ang at once. Otherwise little way was made, except, as I thought, in the question of indemnity, which here claims a special explanation.

As I have stated above, the amount of indemnity, if any were to be claimed at all, I had stipulated would be left to Her Majesty's Government. The Ministers of the Tsung-li Yamên had since urged me very earnestly to name the sum I thought sufficient. I had repeated what I had already advanced on this point, viz., that Her Majesty's Government might possibly claim a very large sum, a sum that would cover all the expenses that had grown out of the Yün Nan affair, or even more; that it was possible, on the other hand, that no indemnity whatever might be claimed. This statement I had reiterated whenever the question came up. After a long resistance,—which, I may add, was not a mere trick of fence, for I should have preferred the arrangement I had proposed,—I warned the Ministers that if I named any amount it would be larger than that I had demanded in the first instance. Thus cautioned, they had still pressed me to say how much, and I had thereon named 200,000 taels; my original demand made in March, 1875, being thus increased one-third. My reply was received without remark, or with so little that I believed the indemnity question disposed of. In this I was doomed to find myself mistaken.

But it was not in this particular alone that the Ministers were as yet unprepared to go the length I required; as will be seen by their counter-propositions laid before me as below,—

1. They were ready to present a Memorial in the sense I desired, but would *not* engage to submit the draft of it for my approval.

2. They would agree to British officers being present at trials in any future cases.

3. They would memorialize for a Decree appointing an officer to treat about the Yün Nan trade.

4. They would agree to the residence for five years of British officials at Talifu and Chungking.

5. An Envoy should proceed to England.

6. A note should be written authorizing Chinese, as well as foreigners, to take out transit passes for foreign merchandize on payment of half duty.

7. I-ch'ang should be opened.

8. Compensation should be made to the family of Mr. Margary and money allowed for losses incurred by members of Colonel Browne's mission, *but* no further indemnity would be conceded.

9. The questions with regard to *li-kin* and transit duties, and the definition of the port areas within which *li-kin* should not be levied, must stand over for future discussion.

These proposals I declined as insufficient. I laid especial weight on the refusal of the Ministers to undertake to communicate the draft of their Memorial to the Throne before sending it in. For the Yün Nun outrage, *per se*, I was positively exacting no other satisfaction when I agreed to withdraw my demand for the prosecution of Ts'ên Yü-ying, but the publication of this Memorial and the Decree in rejoinder to it. I knew that unless I read it beforehand, the Memorial would be almost sure to contain matter to which I must object. I had my precedent in the case of a Memorial issued at my instance in 1872, enjoining on the provincial Governments the duty of a more perfect acquaintance with the Treaties, the draft of which I had insisted on seeing. That draft had been shown me, and alterations in it required by me, adopted.

I believed that the day had come for closing negotiations as useless, when, on the 8th June, Mr. Hart called upon me, with authority from the Yamên, to promise that the text of the Memorial to be presented should be communicated to me, and to discuss the commercial question.

I should mention that Mr. Hart had been instructed in the course of these latter negotiations to hand me a copy of the Memorandum, hitherto withheld, which he had prepared under the orders of the Tsung-li Yamên issued to him in September 1875. I found it to treat the whole question of foreign relations in the three chief divisions of that question, viz., commercial, judicial, and administrative. I was already aware that it had not been well received at the Yamên, and I was cautioned by the Ministers, when it was now communicated to me, that its suggestions were not to be regarded as having been finally adopted. Independently of this caution, however, my order of proceeding was otherwise cast, and can hardly be said to have been influenced by Mr. Hart's Memorandum.

In consequence of the message he brought me on the following day, the 9th June, I offered the Yamên the alternative of acceding to my propositions *en bloc*, or of summoning the Acting Governor-General Ts'ên to Peking for trial. If neither condition were accepted, I should refer the whole case to Her Majesty's Government, continuing relations, nevertheless, except in the event of the High Commissioners' report being published. For indemnity I would still accept the 200,000 taels I had named, or I would leave the amount to be fixed by Her Majesty's Government.

The result of this overture was not to my satisfaction; indeed, eminently the reverse; and I had drafted for immediate transmission, on the 10th June, an official note, in which I demanded the issue of an Imperial Decree summoning Ts'ên Yü-ying to Peking, and threatening, if this were refused me, at once to withdraw the Legation. This note was shown to Mr. Hart, and I requested him, while the translation was being prepared, to acquaint the Yamên with its contents. His position in the negotiation, however, considered, I decided on reflection to withhold the note, and on the 11th he was sent to me once more.

The Yamên now chiefly desired to know whether, in place of the definition of port areas within which no *li-kin* should be levied, I would accept the opening of new ports and other advantages, and leave the *li-kin* much as it was. In the matter of the port areas, besides, a new objection was started; to wit, that such areas might become foreign settlements, the Chinese within which would be independent of Chinese jurisdiction.

This remark alone would have sufficed to show that I was being trifled with. At Shanghai, it is true, where the formation of a large foreign community has rendered necessary the maintenance of a considerable body of foreign police, the arrest of Chinese, in the first instance, by these police, might seem to furnish ground for an objection of the kind. But neither at Shanghai nor elsewhere does the foreign authority either judge the Chinese offender or withdraw him from the jurisdiction of the native Court. At Shanghai there exists, within the foreign Settlement, a special tribunal known as the Mixed Court, for the trial of Chinese arrested in the Settlement; but the foreign assessor has no power to inflict or to enforce a sentence, and the true right of complaint is unquestionably on the foreign side; in that the sentences awarded by the Chinese magistrate are too frequently inadequate, and whether adequate or not, are imperfectly given effect to.

To the verbal promise given as above that I should see the text of the Yamên's Memorial upon the case, the Ministers still declined to pledge themselves in writing.

I now took a new line. Stating first that the proposals of the Ministers in regard to trade were not sufficient, I repeated my demand for the trial of Ts'ên, undertaking to produce evidence of his culpability (which had been required by the Yamên) when he arrived at Peking. For the present I would decline all further

discussion of the commercial question in connection with the Yün Nan affair, and would refer to my Government for instructions. I repeated, however, that my relations with the Yamên would continue unbroken unless the Report of the Yün Nan High Commission should be published.

The same evening I wrote to the Prince of Kung, asking for an answer to my note of the 7th, in which I had demanded a final answer to the request for the trial of Ts'ên.

On the 12th I had written to announce my approaching departure for Shanghai, and had sent the usual notes of leave-taking to the Prince and the Ministers, when, in the afternoon, Mr. Hart called to propose, on the part of the Chinese Government, that the *li-kin* should be left untouched till the Emperor's majority, in which case Wên-chou, and perhaps Pakhoi, might be opened as well as I-ch'ang.

To this I made a counter-proposal. I should require a note stating that it was "in contemplation to open I-ch'ang and other ports, but that in order to the removal of the grievances from which trade is alleged to suffer at the ports now open and inland, the Yamên would first invite the Representatives of the Treaty Powers to consider with it the whole question of the liability of imports and exports, whether at the ports or elsewhere." If this were accepted in lieu of my original proposition on the subject, I would send the proposals to Her Majesty's Government for their approval; but I would not now declare the Yün Nan case closed, unless the Chinese Government spontaneously offered some further valuable concession.

The spontaneous concession which I had in view, the Ministers perfectly understood, was an audience of the Regents or the Emperor, or both; or, failing this, some other demonstration in the direction of diplomatic intercourse. From the discussion of this question, the question of diplomatic intercourse, it will be observed, I had altogether abstained during the negotiations that may be said to have recommenced on the 31st May. Indeed I had, at the beginning of these, plainly stated my intention to separate the diplomatic question earlier agitated from the rest, leaving it to my Government, either single-handed or in concert with other Powers, to demand concession of the privileges, some or all, to which Representatives are entitled.

I shall be obliged to refer once more to the audience question when I come to Section II of the Chefoo Agreement. For the moment I shall say no more than that I did not now commit myself to any formal proposition regarding it, and that I was exposed personally to no check in conference upon the subject. I knew that the difficulties surrounding it were not insignificant.

For the rest, I received such assurances in writing as led me to believe a settlement at last at hand, and I sent Mr. Mayers to the Yamên to inspect the draft of the Memorial and to make other necessary arrangements. The Memorial, which stood first in order as in importance, proved to be a widely different document from what I had contemplated. The Circular which was to have been addressed to the Legations was so modified that while indeed it might be declared to comprehend much more than I had stipulated, its scope might, on the other hand, be narrowed so as to make it of no effect whatever. Lastly, the indemnity about which I had supposed all controversy was at rest, was once more limited to the minimum earlier conceded. The right of Her Majesty's Government to a voice in the matter was ignored. I might refer it to the Government, but the Government's decision was to regard me alone.

Mr. Mayers brought me back the text of the draft Memorial. He was shortly followed by an ambiguous note on the subject of the indemnity; and I now found myself in a position which, had the recent negotiations been preceded by none, or by negotiations of a shorter duration, might have greatly embarrassed me. For the text of the Memorial might, of course, have been reconsidered. The alteration of the Circular I had required, regarding trade to the Legations, was not the Yamên's own, but had been suggested (I do not doubt with the best intentions) by Mr. Hart. Had this, therefore, stood alone on my list of complaints, I should certainly have invited reconsideration of it. Lastly, although in the matter of indemnity the Yamên had receded from the understanding, as I viewed it, twice, if not thrice, accepted by it, that the amount should be fixed at 200,000 taels, I was still prepared, and should have preferred, to submit the question of indemnity, any or none, much or little, to Her Majesty's Government. I did not reopen the discussion of any one of these questions. I simply requested that my list of propositions might be returned to me, and I abruptly left Peking.

The Tsung-li Yamên made haste to declare that I had misunderstood the intentions of the Ministers concerned upon the last occasion. Had I but waited, it was presently urged upon me, farther negotiation might have smoothed all difficulties.

Farther negotiation, I will allow, was possible as often as I might choose to return to it; but I was not, in my judgment, at liberty, independently of no little antecedent acquaintance with the conduct of negotiations in China, to forget the experience I had acquired in the three periods of this last most painful history; in the spring of 1875, in the succeeding autumn, and now throughout the first six months of 1876. I had in the last fortnight again and again threatened either to remove the Legation or to recommend to Her Majesty's Government the extremest measure of coercion, unless I had secured to me a very moderate form of reparation for the past, and certain stated guarantees of a better order of relations for the time to come. I had been again and again obliged to withdraw from negotiation; my demand for the trial of the authorities, whose prosecution I had consented to waive if my conditions were satisfied, invariably producing a fresh overture, destined shortly to end in disappointment like the preceding. My only menace now was that if, pending the reference to Her Majesty's Government which I was on my way to Shanghai to make, the Chinese Government were to take action of any kind without first communicating with me, I should consider myself at liberty to take any step I might deem fit, without either consulting the Chinese Government. I have no reason to regret my decision to waste no more time in Peking.

I had some days earlier taken formal leave of the Prince of Kung and the Ministers of the Yamên. I now sent my cards with a verbal announcement of my intention to proceed to Shanghai. This was not believed, but as soon as it was ascertained that, on the morning of the 15th, I had really quitted Peking, a Decree was sent to the Grand Secretary Li Hung-chang, then at Tientsin, instructing him to confer with me "on the Margary case." A copy was forwarded to me in a note from the Prince of Kung, which had reached Tientsin before me, and in which His Imperial Highness deplored the hastiness of my departure from Peking. The Grand Secretary invited me, under this Decree, to reconsider with him the eight propositions in the form last submitted to the Yamên. This I declined to do. Those propositions, as I had already written to the Yamên, were now to be regarded as *non avenue*. Further, I had to remind his Excellency that when, in the summer of 1875, he had received similar powers from the Throne, the validity of promises given to him had been disputed by the Yamên in Peking. I accordingly continued my journey to Shanghai.

To Shanghai I was presently followed by Mr. Hart, who had been sent by the Yamên, with a note from the Prince of Kung, to discuss the commercial question with me. I did not see my way to recommencement of such a discussion with Mr. Hart; but learning from his further account of what had passed after my departure, that the Tsung-li Yamên would be prepared, if I would consent to meet a Special Commissioner, to move the Throne to appoint one, I authorized him to say that if the Grand Secretary Li Hung-chang were at Chefoo by the middle of August, I would confer with him; upon what subjects I did not particularize. The Grand Secretary Li Hung-chang was appointed High Commissioner accordingly.

Our telegraphic communication with Europe had become more or less irregular. A first message from your Lordship, instructing me in no way to commit Her Majesty's Government, had been some three weeks on the road. I was already at Shanghai, indeed, before it reached me. Another message in due time succeeded the first, repeating the above instruction, but adding that it was the wish and expectation of Her Majesty's Government that the Yün Nan case, now so long pending, should be brought to a termination without delay.

I communicated the substance of the second message to the Prince of Kung, referring His Imperial Highness for a more perfect understanding of its meaning to your Lordship's despatch of the 1st January, 1876 (see Parliamentary Papers, "China, No. 1, 1876"). I at the same time reminded the Prince that I had as yet no reply to my demand (more than once repeated) for the production at Peking of the Acting Governor-General Ts'ên. Mr. Grosvenor, I added, had arrived at Shanghai, and had been sent by me to England to make his report in person. The information brought by him had but confirmed what the Prince knew to be my own conclusions regarding the Yün Nan atrocity.

The Tsung-li Yamên had been left in no doubt as to the nature of these conclusions. We had, it is true, but little of positive evidence to produce; even of the murder of Mr. Margary. The only persons from whom we had been able, after all our pains, to obtain direct testimony to this fact were the savages supposed to admit their share in it at the trial. But the language of these men was as unintelligible to the Chinese officials composing the Court as to Mr. Grosvenor's deputies. It was doubtful whether they understood any single question put to them by the Interpreter, except

such as they had been educated to reply to; if indeed these. Of the official authorisation of the international offence, of which Mr. Margary's cruel murder was but the most lamentable incident, there was not either proof of the kind that is needed to secure a conviction in England. But in support of an assumption that there was a great crime to conceal, there was an array of misrepresentations and suppressions that made it impossible for me to acquit the Central Government of complicity, if not before, at least after the fact; and the contradictions in the statements made to me at Peking, and in the papers from time to time forwarded from the Yamèn, had been very clearly set before the Ministers, but without appreciable effect, before the receipt of the intelligence on the 31st May, upon which I had demanded the examination of the ex-Governor Ts'ên Yü-ying.

Mr. Grosvenor's report of what passed at Yün Nan-Fu had not lessened my misgivings, and after leaving that city, in addition to the letters of the notables and other valuable papers he had forwarded me, he had been enabled to collect much useful and interesting information both on the way to Manwyne and at that place. In particular, he had been able to identify the spot at which Mr. Margary's murder took place; a spot locally described as "under the banyan trees." This corroborated the second-hand testimony of another witness, the servant Wang (see page 116), who, in his deposition taken a few months after the murder, had affirmed that, when looking for his uncle, one of Mr. Margary's attendants, he had been told of his uncle's murder, in company with Mr. Margary, under the trees bearing yellow fruit (the banyan), a short distance from the walls of Manwyne. The details of the murder were also ascertained from one who, if not an eye-witness, had been near the spot when it was committed. His tale differs from that told to Captain Cooke, Political Agent at Bhamo, fourteen months earlier, mainly in this, that Captain Cooke's informant reported the exposure of Mr. Margary's head on the walls of Manwyne. The account given to Mr. Grosvenor was that the head was hung upon a tree, the body being thrown into a well. Captain Cooke's man stated that it was thrown into the Taiping River.

At Bhamo the mother of Li Chen-kuo presented a petition which she prayed Mr. Grosvenor to forward to me, setting forth that her son and those arrested with him were innocent, and that the persons really guilty were the sub-prefect Wu and certain of the notables, being leading members of the Vigilance Committee of Momein. As stated above, I was already in possession of information to the same effect.

The statements made by different individuals at Bhamo to Mr. Grosvenor or his staff are not in themselves complete; but taken together I do not think that their value as confirmatory of my earlier impressions can be denied. It is remarkable that, according to one of these witnesses, the savages produced at the trial were men belonging to a district some distance to the north of Manwyne, who having come down to the hill town of Santa, had been captured, kidnapped in other words, to do duty as prisoners at the bar. I have heard elsewhere that they had on some earlier occasion provoked the hostility of the authorities, who may, consequently, have had producible reasons for seizing them. This, however, in no way connected them with the offence for which they were put on their trial.

Mr. Grosvenor's account, written and spoken, made it further clear to me that in the statements put forward in the Memorials to the Throne, or in the depositions produced at Yün Nan-Fu, the descriptions of tribes, caves, hills, temples, &c., were the merest guess-work. The editors of these documents had studied, with more or less care, my note of the 20th August, 1875, to the Prince of Kung; but being without any greater knowledge of the ground than myself, they had fallen into certain errors, which Mr. Grosvenor, as soon as he visited the locality, was enabled to expose. As he has somewhere remarked, it seems astonishing that so little pains had been taken to compose a more connected and credible narrative than that which we were rejecting. I here leave his letters and reports to speak for themselves.

The Chinese Government had meanwhile been preparing, as I have stated, for fresh negotiations. The high officer first thought of was Shên Pao-cheng, the Governor-General of the Two Kiang. Almost *ex-officio* he holds a seal as Minister Superintendent of Foreign Trade at the Southern Ports. This circumstance, and his residence at Nanking together, as I was now at Shanghai, had suggested his nomination. I was well satisfied to hear of it; for although, as the son-in-law of the famous Commissioner Lin of Captain Elliot's day (1839), and as a distinguished representative of what may be called the old China policy, he was known to be anything but pro-foreign, he passes for a man of practical sagacity and unsullied reputation. The Chinese Government was dissuaded from appointing him, but I had no reason to regret the substitution of

the Grand Secretary Li Hung Chang, now the senior member of the Civil Service of the Empire, and the statesman most conversant with foreign affairs in China.

On arriving at Chefoo, on the 10th August, I found an official note from the Prince of Kung, announcing the Grand Secretary's appointment as Minister Plenipotentiary, the terms employed indicating his investment with powers more than ordinarily considerable.

The Grand Secretary's departure from Tientsin had been opposed, in form if not in reality, by the notables of that department, and they had sent over a deputation accompanied by certain officials attached to the Grand Secretary, for the purpose of inducing me to transfer the scene of negotiation once more to Tientsin. This manoeuvre, as I am obliged to regard it, had its precedent in the discussions now belonging to past history regarding our admission into Canton. But the deputation had come and gone even before my arrival at Chefoo, and on the 18th August the Grand Secretary appeared in person.

Our conferences began at once, and continued with more or less interruption until the 12th September. The Grand Secretary's desire was to recommence where negotiations with the Tsung-li Yamên had been broken off on the 14th June; that is to say, with the eight propositions then withdrawn. My own point of departure was a renewal of the demand for the production of the Governor of Yün Nan and the other persons denounced. If this were denied me, sufficient reason must be given. I had repeated this demand in four separate notes, to which no reply had been vouchsafed; the Chinese Government, I inferred, being unwilling positively to refuse compliance. The Grand Secretary, indeed, did on one occasion go so far as to imply that the Governor Ts'ên would be brought up if I would first state the particulars of my evidence against him. But this I was obliged to decline to do until all the parties named should be in Peking. It was equally impossible for me to accept the compromise on one occasion suggested, that all except the Governor Ts'ên might perhaps be brought up from Yün Nan.

The refusal to summon the Governor Ts'ên in the absence of tangible evidence against him did at last come in a note from the Prince of Kung handed me on the 31st August. Having perused this I signified my intention to wait for the instructions that would probably reach me about the end of September, by which time Her Majesty's Government would have been enabled to read the mass of correspondence forwarded but a few weeks since.

The Grand Secretary pressed earnestly for some action on my part; urging that while as Representative of my Government I could not but be competent to negotiate, his appointment as a High Commissioner by his own Government, either at my instance or with my concurrence, made it but reasonable that I should enter into discussion with him. I admitted the force of this latter argument, but I contended, notwithstanding, that I had a right to expect some overture from his side. In the end, I consented to lay before him a list of propositions, which, if accepted by the Chinese Government, I would recommend my Government to regard as closing the Yün Nan affair.

Before going farther, however, I impressed upon his Excellency that I was not now about to bind Her Majesty's Government to positive acceptance of any concessions that might be negotiated as satisfaction in full for what had happened in Yün Nan. My action might be disapproved, and the production of the Governor Ts'ên insisted upon. All I would now do was to submit what I might agree to for approval. I further reminded the Grand Secretary that, when urged some months before, at the Yamên, to fix the amount of the indemnity, I had consented only with the proviso that a larger sum must then be named than had been named in the first instance, and that I should now similarly add to the programme laid three months earlier before the Tsung-li Yamên. My chief addition to the programme in question, it will be seen, was in the provisions affecting official intercourse and judicial proceedings, any special remarks concerning which I shall defer until the second section of my agreement comes under review.

The citation of the Governor Ts'ên having been thus foregone under the conditions above indicated, I embarked once more in the discussion of alternative propositions. The circumstances were more favourable to a conclusion that might be considered worthy acceptance, and in saying this I refer, among the rest, to the character of the plenipotentiary with whom I was about to treat. There is always a difficulty, I might almost say a danger, in commending the personal qualifications of a Chinese minister. The problem of relations with the foreigner otherwise than as his superior is still unsolved by the majority of Chinese of the class whose education qualifies them for

office; and the conversion, even though it be but partial, from the exclusivist policy of that majority, which is the inevitable consequence of an increased contact with the foreigner and greater conversance with the knowledge that gives him power, is still regarded by it but as a falling away from orthodox belief. The first term that occurs to a Chinese, orthodox in the above sense, who would describe a progressist of his own country, as we use the word progressist, is renegade or traitor. And this appellation has been freely applied to the Grand Secretary Li Hung-chang, who, though his larger experience of foreign men and things, especially men and things of war, has impressed him on behalf of his country with the necessity of an expansion of her old ways, if her independence is to be secured, has neither forgotten his reverence for her history or philosophy, nor is indifferent to any measure that might compromise, however remotely, either her dignity or her advantage. When I speak, therefore, of the character of the Grand Secretary as of a favourable condition, I should be understood to mean his character as formed by an experience which but very few of his countrymen have had the means of acquiring. He was by no means for absolute surrender. On my side, although warm enough in discussion, there was an equal desire to abstain from demonstrations that might be construed as intimidatory. The Flying Squadron was still in the China seas, but at my instance it did not appear at Chefoo until my negotiations were near an end; Admiral Ryder, on this, as on all occasions, cordially seconding my desire.

Having promised to re-open negotiations, I first, on the 1st September, placed on record the conditions under which I had agreed to communicate my proposals to the Grand Secretary. They were to be discussed as a whole. If not acceded to, I was to telegraph to your Lordship, in whose hands all earlier correspondence would be by the end of the month. If agreed to, I would recommend that such agreement be regarded by Her Majesty's Government as having closed the Yün Nan case. The Prince of Kung would be expected to obtain a Decree confirming the arrangements undertaken by the Grand Secretary. If such Decree were not obtainable, our negotiations were to be counted as nothing. The draft of this note having been shown to the Grand Secretary, we began at last to treat upon the 4th September, and upon the 13th I signed the Agreement in three sections, forwarded on the following day to your Lordship.

In this, in an important particular, I went beyond the limits I had originally prescribed myself; for I undertook, if certain conditions were immediately satisfied, not only, as at first agreed, to recommend the closing of the case, but, on my own responsibility, to report it closed.

Within a few days of its signature, the Chinese text of the Agreement appeared without authority in the native newspapers at Shanghai. I had sent the English text to be printed there for communication to my foreign colleagues, and finding that, as was to be expected, translations from the Chinese newspapers were beginning to be circulated, I authorized the publication of a correct version of both texts of the Agreement in our own local journals. This will explain the appearance of the instrument in public before it could have reached Her Majesty's Government.

On my return to Peking a few days later, I found that the Tsung-li Yamên had already printed the Chinese text, and communicated it to the Legations.

The Agreement has naturally been the subject of much criticism, but I shall here notice but one of the observations that have reached me concerning it. It has been objected that the nature of the outrage to be atoned for considered, the satisfaction exacted should have been kept formally apart from the settlement of any other question, and especially from the question of trade; further, that no indemnity should have been accepted; or, if any, an indemnity of such magnitude as might have made it remembered as a deterrent penalty.

Looking to my instructions, I had not originally contemplated anything in the form of a convention. Had my negotiations been brought to a conclusion at Peking, the engagements entered into by the Chinese Government would have been conveyed to me in notes with no greater formality than such as belongs to ordinary correspondence, and reported home in the usual manner. The circumstances that obliged me to break off negotiations in June, and the Special Commission of the Grand Secretary, determined the course eventually adopted. Telegraphic communication with Europe was fitful and uncertain, whether by the submarine line south, or by that passing via Japan through Siberia, where it had been damaged by the floods. This was for something in my proceedings. Lastly, I was influenced by the reasons stated in my despatch giving cover to the Agreement, already adverted to.

As to the inclusion in the Agreement of stipulations affecting diplomatic inter-

course and trade, one purpose of the long *exposé* which fills the earlier pages of this Report, has been to show that from the beginning I had fought for an improvement in our relations diplomatic and commercial, on three grounds; first, that we had, under both heads, matter of complaint; secondly, that, before the occurrence of the Yün Nan outrage, I had given notice that I would formally call upon the Chinese Government to remove this; thirdly, that the Yün Nan atrocity was but a consequence of a policy of which the restrictions embarrassing foreign intercourse in trade, or otherwise, were both a cause and a symptom.

The question of indemnity, as shown above, I had not had it in view to revive further than as one upon which the right should be reserved to Her Majesty's Government to demand an indemnity, or to decline to demand any; the amount to be paid, if any, being of course to be decided by Her Majesty's Government. The Grand Secretary Li, pressing hard for a final settlement of all conditions, I agreed to name the sum before named in June to the Tsung-li Yamen, namely 200,000 taels, to be applied to the purposes stated in my first reference to the subject in March 1875.

It should be borne in mind that the demand had never been put forward as for an indemnity for the Yün Nan outrage, which, I contended, was an international offence; nor even for the terrible incident, the murder of Mr. Margary, which was the aggravation of that offence. At Peking for many months a persistent effort was made to ignore the international character of the crime. The case had been constantly described as a case of life for life, and I had as constantly protested against the inaccuracy of that description. Had I contemplated acceptance of an indemnity as in, so to speak, general satisfaction of the international offence, I should have felt bound to propose something much more considerable; an indemnity of such magnitude as would have rendered either occupation of territory or other material guarantee unavoidable.

As it was, my demand was limited to what would cover,—

(1.) Payment of 10,000*l.* to the family of Mr. Margary, and of certain lesser amounts to the Chinese accompanying him, who were murdered with him. Some of these, as I have reported, have, by my authority, been receiving small allowances from Her Majesty's Consuls at Shanghai and Hankow.

(2.) Payment of the expenses occasioned, in particular to the Government of India, by the occurrences of February 1875. In these I contemplated including the expenditure called for by Colonel Browne's mission; the losses of the gentlemen composing it, the very moderate estimate of which had been forwarded to me; the expense of Mr. Margary's Mission across China in 1874-75, and of Mr. Grosvenor's mission in 1875-76; and the expense of maintaining one or more British officers in the interior, as stipulated (Agreement, Section I, iv), for a term of five years, should Her Majesty's Government see fit to take advantage of the stipulation.

(3.) Satisfaction of various claims of British merchants arising out of the action of officers of the Chinese Government up to the commencement of the year 1876. The action referred to was, in general, wrongful seizure and detention of imports or produce the property of British merchants. There was one claim outstanding for payment on account of supplies provided to the Chinese Government towards the close of the rebellion. It was not large, but bore interest. I had estimated that these claims would amount in all to about 30,000 taels; but it was not impossible that others might be presented the validity of which would be recognized. The whole indemnity having been paid, by my desire, into the Oriental Bank at Shanghai, I set apart 50,000 taels as a sum to be available for the liquidation of claims under the authority of the Legation. The remaining 150,000 taels were deposited with the Bank, paying interest at the rate of $4\frac{1}{2}$ per cent. per annum.

The third of these items, satisfaction of claims, as I have elsewhere observed, belonged to our chapter of commercial griefs. It was placed where it stands as part of the question of indemnity; indemnity itself being connected with the Yün Nan outrage, only as a minimum of costs or damages adjudged on account of injury to persons or property.

The three sections of the Agreement, to repeat in another form the substance of an observation in the first page of this Report, must be read together as a whole; as a series of engagements which it is hoped may supply some security against future misunderstandings, rather than as parts of a measure that we can regard as expiating the offence for which we have failed to obtain judicial satisfaction. After all that had passed in the previous eighteen months, I cannot think myself wrong in presenting the three parts of my scheme, as, in my note of the 1st September to the Grand Secretary Li, I stated I was about to present them, as a whole, and not otherwise.

It is perfectly correct to assert that such an outrage as that committed in Yün

Nan could not be atoned for by the concession of diplomatic privileges, even the highest, or of commercial advantages, however great. I should not have urged acceptance of either, without the judicial satisfaction which it was next to impossible to secure, or the public recognition of my own view of what, failing that satisfaction, was just, which I did in the end obtain. But, although I would not have bartered the two latter sections of my Agreement against the first, I would not have myself closed the case, nor would I have recommended Her Majesty's Government to close it, without an understanding that I could report in my opinion sufficient, affecting all three. Had the Chinese Government consented to bring the ex-Governor Ts'en Yü-ying to Peking, all other demands would of course have been laid aside until the inquiry I called for into his conduct was terminated. I repeat that, in my belief, such an inquiry would have been of very great advantage; of greater probably than the arrangements I accepted in any one of the three sections of my agreement. But, once more, it must not be forgotten that I could not have made use of the evidence in my possession until all the parties named by me were confronted at Peking; and that, however strong my own convictions, this condition left my implied charge against the ex-Governor so far from complete as to furnish the Chinese Government with a reasonable objection to his production.

Admitting, however, that the three parts of the Agreement must be taken, for the reasons stated, as contributing jointly to the settlement of the case before me, I still claim for the first of the three the credit due to it as also first in importance. In the Memorial drafted upon my own Memorandum and submitted to me before it was presented to the Throne, the Grand Secretary sets forth, in effect, that I regard the evidence against the persons convicted by the High Commission as insufficient, and that, on behalf of my Government, I decline to consent to their punishment; but that, in order to security for the future, which, under the teaching of our civilization, is to be preferred to retribution for the past, the Imperial Government is called on to enjoin upon the Provinces a more particular attention to the Treaty stipulations affecting the safety of foreigners, in a Proclamation to be posted in every jurisdiction of the Empire.

This Memorial and the Decree acknowledging it were to be embodied in the Proclamation referred to, and, to ensure observance of the engagement regarding its publication, British officers were, for two years to come, to be sent to visit any locality that might be named.

The assured publicity of such a paper will be found, I believe, as a guarantee for the future, worth all else that has been obtained in my Agreement. The reports forwarded to your Lordship since my departure, I am happy to learn, are almost unanimous upon the subject of the issue of the promised notice, and of the good effect its appearance has produced.

The formal undertaking (Article iii) that, whenever it may be thought desirable to frame regulations for the frontier trade of Yün Nan, the Chinese Government will be prepared to send competent officers to confer upon the subject with ours, was made part of this Section, because, referring to the incidents of February 1875, I thought the condition proper to the settlement of the Yün Nan affair, pure and simple, rather than to the general question of trade as treated of in Section III.

The provision in Article iv that Her Majesty's Government shall be free for five years to station officers at some inland centre in Yün Nan, to observe the trade, was inserted, first, because our acquaintance with the commerce of the province was so far from perfect that it was as yet impossible to decide whether, ultimately, we should find it necessary or expedient formally to negotiate regulations of the trade there. Mr. Grosvenor reports just such a state of desolation as I should be prepared to hear of in any district of China that had been the scene of twenty years' civil war, rebellion, or brigandage. But the revival of trade and agriculture in China follows marvellously soon upon the re-establishment of peace. The province, one of the largest of the Empire, is full of natural wealth, and from the nature of their errand, Mr. Grosvenor and his party traversed only that side of it which had suffered the most severely from the late Mahometan insurrection.

I had another reason for the stipulation. I think it politically important, after the event of 1875, that we should not be viewed as recoiling from a perfectly legitimate object, towards the attainment of which the Government of China had been invited, under Treaty, to aid us. I am as much opposed as ever to the establishment of mercantile communities inland, and I certainly should not choose Yün Nan as a field for experiments in that direction. But I am quite in favour of explorations, lead in hand. This was all that I understood to be contemplated in 1874. An official

mission carefully selected to that end would be as safe in Yün Nan, under the wing of the Government, as anywhere in China. The political value of such a mission had much weight with me when I made provision for it.

I may say the same of the provision contained in the last clause of Article iv. The Mission sent by the Government of India into Yün Nan having been expelled, I thought it well that the right to replace that Mission should be recorded, if for no other purpose, in order that the concession of it might serve in some sort as an *amende* to the Government of India. Practically, I did not assume that if officers were stationed by the Legation in Yün Nan to observe the trade, a Mission from India would be for the present regarded as necessary.

The provisions of the Separate Article, regarding a possible expedition into Thibet, belong to the same category. The dignity of the Government of India is recognized by it, and the Chinese Government is pledged, when called upon, to withdraw the restriction it has so long maintained upon the examination of a curious country, into which, for more reasons than one, it is our interest to penetrate. The Article could not be ranged, symmetrically, with the rest of the conditions proper to settlement of the Yün Nan case; I therefore made it separate; but the engagement it records was none the less intended to be regarded as to a certain extent compensatory, so far as the hindrance offered to Colonel Browne's mission is concerned.

It will be observed that the Tsung-li Yamên, if the mission enter Thibet from the Chinese side, is to grant authority with "due regard to circumstances;" and that if it be sent from the side of India, the Chinese Resident in Thibet is, also "with due regard to circumstances," to send officers to escort the mission.

These precautionary clauses may of course be read as weighting the engagement undertaken with an obstructive purpose. I did not overlook this, but I believe that I am correct in stating that a clause to the same effect has been introduced in passports granted to foreigners of other nationalities travelling into these or other districts of what is termed extra-provincial China. I have also reason to think that, although the Grand Secretary did not employ the argument when discussing this provision with me, his anxiety to have it inserted was more or less due to an apprehension that in the far-off regions to be crossed evil might befall the travellers, for which the Chinese Government would be held responsible. I allude more particularly to the country of Tsing-hai or Koko Nor, should a journey by that route be attempted. I consented finally to the insertion of the words in question, but on condition that there should be added to my first proposition which regarded the Indian side only, the alternative of a Mission by way Ssü Ch'uan.

There remains only to be noticed the closing Article (vi) of this section.

The despatch of a mission to England, with an Imperial Letter expressing regret for what had happened in Yün Nan had long been agreed to. Rumours of a possible change in the *personnel* of the mission as at first composed induced me to require that I should be formally apprised of its constitution. I required also that the text of the Imperial Letter should be communicated to me. This was done, and as certain modifications in the phraseology were adopted at my request, I must be regarded as responsible for the letter both in form and in substance.

The special distinction of the missive is at the same time not due to my negotiations. I mean the fact that it accredits a permanent mission from the Chinese Government to the Court of Her Majesty. The letter does not set forth that the Mission is to be established in permanence. It is none the less true that it is so, and as the first Letter of Credence issued by the Court of Peking to a Minister so conditioned it must be held to mark an era of singular importance in the foreign relations of China.

The advantage of representation abroad has long been disinterestedly pressed upon the Chinese Government, and to a great extent admitted by it; but, for the score of reasons rarely wanting when a departure from traditional usage has to be deprecated, the establishment of missions has been again and again deferred until a more convenient season. It might have waited much longer. It has at last come to pass, not, I repeat, as a measure negotiated by me, although the occasion for its adoption was no doubt supplied by my demand for a mission of apology. It would be vain to profess to forget the historical connection of its advent with the fearful incident which provoked that demand. I can, at the same time, consistently admit that, viewed as a guarantee for the future, no provision in the Agreement that I did negotiate has given me sincerer satisfaction than this, almost the first move in any degree spontaneous, on the part of China towards a renunciation of her exclusivism.

I here close my observations upon Section I of the Agreement.

II. As intimated in the brief preamble of this Section of the Agreement, its stipulations contemplate a better ordering of intercourse between Chinese and foreign officials, and an improvement in the conduct of judicial proceedings in which Chinese and foreigners are parties on opposing sides. The two questions are not so slightly allied as at first sight they may seem; and they stand in their proper order; the formal, as I maintain, in China, preceding and often including the essential. Were it otherwise, I should be well pleased never more to hear mention of the first.

In Article i of this Section it is claimed and conceded that the present conditions of intercourse and correspondence have been matter of complaint both in the capital and in the provinces. This, when these words were written, was incontestable, whether as regards the position of foreign Representatives at Peking, or of foreign Consuls at the ports; the language employed in papers addressed to both, or employed in published papers in which Ministers, or Consuls, or the Governments appointing them, had been referred to. There are Treaty stipulations which such a course of conduct could be shown to violate; but the danger to which it exposes relations of peace, treaty or no treaty, would have justified its reprobation.

I do not at all contend that the rule of official intercourse has been bad without exception. As regards the position of the foreign Minister, for instance, where affairs are concerned, the high officers with whom, since Lord Elgin's return to China in 1860, the Minister has had to transact business, have been both in rank and consequence to the full as considerable as Article V of the Treaty of Tientsin requires. The Tsung-li Yamên, the Foreign Office instituted as soon as legations were installed at Peking, has been from the first presided over by the Prince of Kung; his Imperial Highness's coadjutors being Presidents or Vice-Presidents of the chief departments of the Central Government; much, in short, what we understand by the titles of Secretaries or Under Secretaries of State. The Prince himself and certain of his colleagues have from the first belonged to the Chün-chi Ch'ü, the small but powerful Council in which, especially during a Regency, the supreme functions of the administration of the Empire are vested; and I must admit that at no time have I found the Ministers of the Yamên, nor indeed the Prince of Kung himself, other than accessible; nor, in personal relations, other than most courteous. However much there might be to be desired in the despatch of business, it was certainly not with reference to the constitution of the Tsung-li Yamên or the general demeanour of its members that I affirmed the existence of matter of complaint.

But although no allusion is made to them in precise words in my Agreement, I did unquestionably intend a reference to the imperfect fulfilment of Articles III and IV of the Treaty of Tientsin; and among the rest to the significant provision that Her Majesty's Minister "shall enjoy the same privileges as are accorded to officers of the same rank by the usage and consent of Western nations." Not, once more, that I was bewitched by the pride and glory of the privileges themselves, but that there was ever present to me the danger to which the foreign relations had been exposed by the spirit responsible for the withholding of these privileges.

So much has happened symptomatic of an improving tendency in the last few months, that I am sincerely desirous of regarding the incidents that had suggested my stipulation as belonging to a past era. I shall not at any rate attempt a historical résumé of the facts present to my recollection when I pressed for what it promises, and on which my charge against the Government of adherence to an exclusivist policy that we have a right to complain of as mischievous, had been based.

When it agreed (Article i) that the Tsung-li Yamên would invite the Representatives of foreign Governments "to consider with it a code of etiquette, to the end that foreign officials in China, whether at the ports or elsewhere, may be treated with the same regard as is shown to them when serving in other countries, and as would be shown to Chinese Agents serving abroad," the Chinese Government promised a relaxation of its exclusivism; and the mode of its promise is such that it became pledged to this relaxation, not only before our own, but before all foreign Governments with which it is in Treaty relations.

It has been urged by a friendly critic that the code of etiquette of which I pledged the Chinese Government to invite consideration, must necessarily include discussion of the Audience question, and that this, at the present moment, might prove embarrassing. No such necessity, I confess, had occurred to me; although, for certain reasons, some reference to the Audience, whenever the difficulties I hoped to solve by the formal undertaking which I have styled a code of etiquette should come to be discussed, might have appeared to me desirable. But such a reference would for the

moment have been restricted to a reminder that the right to claim an Audience exists and may at any time by any Government be asserted. It may yet have to be.

I have not the slightest wish to see it precipitately asserted, and, as I have earlier stated, in the late discussions I never formulated anything upon the subject of an Audience. But I more than once allowed it to be understood that, whether as an *amende* for the past, or as a guarantee for the future, I should be prepared to regard the concession of an Audience as a most important measure of satisfaction. And I did this with a full knowledge of the objections that were sure to be raised against its concession; to wit, the tender age of the Emperor and the sex of the Regents; conditions, I admit, by no means to be lightly ignored. I knew, at the same time, that on neither ground were their Majesties respectively inaccessible to Ministers of their own nation, when their attendance was required whether for purposes of business or ceremony; that those who had reports to submit to the Throne, were heard by the Empresses Regent, but partially concealed by screens, and, on state occasions, were received by the Emperor; His Majesty being seated in front of the screens, behind which the Regents were enthroned. The real difficulty, I could not but feel, was of a political character; I have so often adverted to it that I need not here define it more precisely. Believing it to be what I believe it, I should certainly have welcomed its disappearance as an augury of the highest significance.

Yet, I repeat, I never made the Audience in any way a demand, and when in my Agreement I employed the term "code of etiquette," as a term implying deliberate regulation of intercourse, nothing was farther from my intentions than inclusion in it of the Audience question. The most I should have advocated in relation to it would have been, I say, an intimation, either singly or in concert with others, that audience of the Emperor of China is a privilege which, under Treaty, it is at any time open to the Government of any Treaty Power to claim. This, looking to the past, might not have been without its utility. For the present, I should be quite content to leave it unmentioned. When reporting the Audience of 1873, the minimum of concession, as I have elsewhere called it, I was unable to say more than that it was a first step in retreat from an untenable position. Without optimising, I imagine that I see signs of progress that, in a question of the kind, may justify our patience.

As to official intercourse in the capital, what was immediately in my mind was the imperfectness with which the Imperial Decree of September 28, 1875, had been obeyed. (See Blue Book, China, No. 1, 1876, page 86.) That Decree, which, it must be remembered, was issued as one of the guarantees that I exacted before I would allow Mr. Grosvenor's Mission to proceed to Yün Nan, approved the recommendation of the Tsung-li Yamên that the interdict on intercourse between the Legations and the Chiefs of State Departments should be withdrawn; and that the conditions of intercourse should be arranged between the Tsung-li Yamên and the high officers in question, "to the end that while, on the part of those to whom such intercourse was new, possible misgivings might be more or less prevented, those not yet in intercourse with the foreigner might be brought to understand the relations between him and the Chinese." These are nearly the words of the Yamên's Memorial to which the Decree was a reply.

I have mentioned (page 123) how little had come of this Decree, and how circumstances had made that little even less. I have no desire to dwell further upon it. Mr. Fraser's despatch of the 10th January last (see page 93), which refers briefly to the event of last year, reports a step in advance that leads me to hope that in the question of intercourse in Peking we have at least the beginning of beginnings; in China, the difficulty of difficulties to be surmounted. And the reform is of the greater moment, that it has been effected at head-quarters.

Another of my griefs was the language used either about us or to us in official papers; in public notices; in Memorials to the Throne, published in the "Peking Gazette;" it might be in Decrees acknowledging such Memorials; in letters addressed to us, especially where the reports of Chinese to their superiors are quoted. This is an old sore and of serious import. In a country where so large a proportion of the population is educated, and educated in a literature in the phraseology of which respect of persons is made so easily apparent, the effect upon the mass of habitual depreciation of the foreigner and his authorities in official papers may be imagined. There had been no worse omen of the feeling of the Government than its indifference to remonstrance on this head. It was for this reason that, in 1872, having been assaulted in the streets of Peking, I substituted for all other reparation a Memorial from the Yamên, directing attention to the Treaties, in which the title of Her Majesty should be placed on a level with that of the Emperor of China. The Memorial was

shown to me in draft; was presented to the Emperor and published; but faith was not observed in the printed copies of the "Gazette."

I revive the incident only to contrast the course pursued in the instance cited, with what I am happy to believe the spontaneous action of the Chinese Government on a recent occasion. In a despatch also of the 10th January, Mr. Fraser reports publication in the "Peking Gazette" of a Memorial from the Governor of Shan Tung, in which, alluding to a correspondence with the Acting Consul at Chefoo, the words "British Government" are honourably elevated to the head of the vertical column. It would be difficult in England to make it intelligible that our respect or disrespect for a foreign Power could be tested by the employment of a capital or a smaller letter at the commencement of the word Government. In China it is otherwise, and the proceeding Mr. Fraser reports is, in its recognition of the equality of nations by China, a valuable beginning of beginnings.

Another similar grief had been the refusal to admit foreign Consuls when calling on the high authorities of the provinces otherwise than as if they were the subordinates of those authorities. This was not a universal rule. I doubt that it was in these latter days adhered to any port but Foochow; it was there adhered to somewhat ostentatiously, and the inconvenience was marked. If a Consul could not be admitted into the Yamên of the Governor-General when he went to pay his respects to him, otherwise than if he were his subordinate, he would naturally forego his visit of ceremony, and it would follow, independently of the general effect upon affairs of this state of relations, that if his affairs rendered personal appeal to that high officer necessary, he would find access to him difficult, or, if accepted under the above conditions, resultless. I am happy to learn that the invidious rule, for which it is true there was alleged to be ground in our own Treaty, has at last been rescinded at Foochow. The personal opposition of the late Governor-General was for something in this matter; but the change for the better is perhaps to be attributed as well, if not to injunctions received from the Central Government, at least to the example recently set by it.

I say that there had been alleged to be ground in our Treaties for the line taken in their treatment of our Consuls by the high provincial authorities. It was decided by the Treaty of 1858 that our Consuls and Vice-Consuls in charge should rank with Chinese Intendants of Circuit; Vice-Consuls and Interpreters taking rank with Prefects. In many instances the high authorities made no objection to reception of our Consular officers, not, of course, as equals, but still with the courtesy due to the official of a foreign Power, who, by the conditions of the case, is at the same time, chief of his nation in the district of China in which he resides. In some they refused to admit them except by the gateways through which their own subordinates were admitted, rejoicing to all remonstrances on the subject that they acted only in accordance with Treaty. By parity of reasoning they should have exacted of the Consuls the obeisances and other forms of salutation due by their Chinese co-ordinates. This, I need hardly say, was never attempted. Within doors the Consular officer was treated as a guest; it was before the outside public that he was humiliated. My knowledge of the effect of petty slights of the kind upon the feeling of the multitude must be my justification for making so much of what elsewhere, in England at least, must appear so insignificant.

In the matter of official correspondence our Treaty of 1842 is more decidedly against us. It is there agreed (Article XI) that the higher officers of the two countries shall correspond in the form that we translate "communication;" to which there is no possible objection. There is none either to the term translated "statement," by which subordinate British officers address the high provincial authorities. But to the term translated "declaration," by which the latter address the subordinate British officer, there is an objection; not only in that the term employed implies conveyance of a command to the official addressed, but that in the body of the "declaration," whenever reference is made to that official, he is mentioned in a form which, judged by Chinese usage, is less respectful than translation would make it appear. If correspondence of the kind is quoted, as on occasion it may be, in notifications or other public documents, the foreign official figures in a position which, for the one reason so frequently given, its effect on the native appreciation of foreign Governments, I consider invidious.

In the first page of a long Memorandum which, under instructions from your Lordship, I prepared upon Treaty Revision in 1868, I drew attention to the desirability of a modification of the above Article. That in 1858 it was left unnoticed by Lord Elgin, I observed, was the fault of no one but myself. I forgot to bring it to his

Lordship's attention until it was too late. My Memorandum suggested some amendments, and I still think the matter deserving consideration.

The above subjects, the Audience excepted, are samples of what I had before me when I pledged the Chinese Government to invite the Representatives of the Treaty Powers to consider with them a code of etiquette, to the end that foreign officials in China, whether at the ports or elsewhere, might be treated with the same regard as is shown them when serving abroad in other countries, and as would be shown to Chinese Agents so serving abroad. The fact that China, I added, was about to establish Missions and Consulates abroad, rendered an understanding on these points essential.

This was stipulated, be it remembered, after much debate, a debate extending over years, regarding similar questions, in themselves trivial enough, but not trivial in the consequences fairly traceable to the spirit which had prevented their solution; after promises regarding intercourse which I could not regard as having been satisfactorily performed. One Chinese Mission, that now here, has since been established in permanence abroad; and a second, also a permanent Mission, is (unless I am misinformed) on the point of being accredited to another European Power. That the changes, whether in correspondence or otherwise, and of the kind that I have referred to as desirable, may now be brought about, if not by the spontaneous action of the Chinese Government, at least without collective negotiation, is, I think, fairly to be expected. Should it prove otherwise, the Chinese Government is pledged to a formal consideration of the question whenever this may be demanded.

I engaged the Government to pledge itself by Circular to the Representatives of the Treaty Powers on the foregoing question, partly because I considered an invitation of the kind due to my colleagues; partly because, by issuing it, the Government became more firmly engaged to move in the matter of intercourse when called upon. I did not, however, feel that there would be any necessity for immediate action on our part, either with other Powers or single-handed. I exacted a similar engagement from it with reference to the measures needed for the more effective administration of justice at the ports open to trade. In this, again, I was looking less to immediate action as desirable than to a certain immediate improvement in the adjudication of mixed cases, as the probable consequence of the Government's public acceptance of this engagement; the pledge, of course, remaining good that the Government, whenever it might be appealed to, would be prepared to respond to the appeal.

As British Minister I had before me a special difficulty in the construction constantly put by Chinese authorities upon the clauses of the Treaty of Tientsin relating to judicial proceedings. Article XVI provides that Chinese guilty of any criminal act towards British subjects shall be punished by the Chinese authorities according to Chinese law; that British subjects committing any crime in China shall be punished according to British law, "by the Consul or other public functionary authorized thereto;" also that "justice shall be equitably and impartially administered on both sides." Article XVII provides "that the Consul, if a Chinese have reason to complain of a British subject, shall listen to the complaint and shall endeavour to settle it in a friendly manner," and that "if disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the Chinese authorities, that they may together examine into the merits of the case, and decide it equitably."

It is no exaggeration to say that while in no instance, to my knowledge, has a British Consular officer assumed to act as co-judge in proceedings against a Chinese defendant, that function has been very frequently claimed by Chinese officials where the defendant was a British subject. And when, especially in cases of murder, manslaughter, or violent assault, the defendant has been acquitted by a jury, or punished less severely than he would have been had the charge as a Chinese would have laid it been proved against him, the words representing "together" in the Chinese version of Article XVI, (for which I am myself responsible), have been quoted to prove that in both trial and sentence the officials of both nationalities should equally bear part.

I have in all cases maintained that the law administered, except where an offence is described and a penalty specified, as in the commercial clauses of the Treaty, must of necessity be the law of the defendant's nationality. It would be wasting argument to attempt to show that, in China, there can be none other, until such time as a code of laws shall have been agreed upon for the treatment of mixed cases; either for the common use of all nations having Treaties with China, or, failing a measure so comprehensive, for the common use of the Chinese and ourselves. I accordingly stipulated in Article iii of this Section that the clause of the Treaty of Tientsin referred to should be so interpreted.

I did not think it necessary to discuss a point raised on occasion by our own countrymen, supported, in some cases, at all events, by a legal opinion, that from the wording of Article XVI its provisions are intended to apply only to criminal, while Article XVII should apply only to civil cases. An argument has been based upon this, that in the trial of mixed civil cases there is a power of joint action which does not exist in criminal cases. I hold that in neither can the authority of the complainant's nationality claim more than to be present to watch the proceedings in the interest of his nation; but that this right of presence can never be denied him.

As laid down in Article I of the Treaty of Tientsin, the Treaty of Nanking (1842) is thereby renewed and confirmed. The Supplementary Treaty and General Regulations of Trade (1843), "the substance of their provisions having been incorporated in this Treaty," are abrogated. I quote below Article XIII of the General Regulations in question. I think it will be plain that the same spirit ruled in both those Regulations and the Treaty of Tien-tsin.

XIII. *Disputes between British Subjects and Chinese.*

"Whenever a British subject has reason to complain of a Chinese, he must first proceed to the Consulate and state his grievance. The Consul will thereupon inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if a Chinese have reason to complain of a British subject, he shall no less listen to his complaint, and endeavour to settle it in a friendly manner. If an English merchant have occasion to address the Chinese authorities, he shall send such address through the Consul, who will see that the language is becoming; and, if otherwise, will direct it to be changed, or will refuse to convey the address. If, unfortunately, any disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of a Chinese officer, that they may together examine into the merits of the case, and decide it equitably. Regarding the punishment of English criminals, the English Government will enact the laws necessary to attain that end, and the Consul will be empowered to put them in force; and regarding the punishment of Chinese criminals, these will be tried and punished by their own laws, in the way provided for by the correspondence which took place at Nanking after the concluding of the peace."

I am myself satisfied that no distinction was contemplated between civil and criminal procedure either in 1843 or in 1858. On the other hand, difficulty had been occasionally experienced where British subjects, being defendants, had to be tried before a higher Court than the Consul's. This, until 1865, might have been, in some cases, the Court of the Superintendent of Trade, in some, the Supreme Court of Hong Kong. In either case the Chinese, when it suited them, would uphold that, as the Treaty named no one but Consuls, appeal to any other authority was in contravention of Treaty.

It was to meet this allegation that, in 1858, the words "other public functionary authorized thereto" were introduced after the words "tried and punished by the Consul" in Article XVI. Here again, I admit, the Chinese text, for which I am also responsible, might have been more precisely rendered; but, at the time, not without considerable amplification. The words British Government were consequently used, as the Chinese use similar words, to include any or all of Her Majesty's servants, small or great. Any obscurity on this head is now obviated by the text of my Agreement, which declares the establishment of a Supreme Court at Shanghai with a special code of laws, which it is obliged to revise, that Court having been established in order to the fulfilment of Treaty obligations.

The Supreme Court at Shanghai, which in 1865 superseded alike the jurisdiction of the Superintendent of Trade and the Supreme Court of Hong Kong, had been equally with the latter a point of attack both at Shanghai and elsewhere; not in all instances, but whenever a decision has differed from what the Chinese authorities desired or expected, whether on the civil or the criminal side.

I am compelled to declare my belief that the letter of the Treaty has had little to say to the objections advanced against the decisions of our Courts, higher or lower; and although the Articles of my Agreement may save the Legation some bickering over the text of Articles XVI and XVII of the Treaty of 1858, or over the absence from that Treaty of any precise words describing the higher Court which, among other functions, is created to regulate the judicial proceedings of the Consuls, that improvement in the administration of law which is to bring it nearer our notions of justice is still far to seek.

No nation, undoubtedly, has worked harder at its legislation than China, and although the spirit of its code is eminently vindictive, I should not deny its framers the credit of an earnest desire to be just. But in the way of justice there are at least

two serious impediments ; an ignorance which renders due appreciation of the value of evidence, especially in criminal cases, impossible, and a dishonesty that would be fatal to the administration of any laws, no matter how enlightened. In a case, the termination of which is just announced at Peking, we have a woman wrongly convicted, on a confession extorted from her by torture, of the murder of a husband who died a natural death ; the injustice being so patent that the fellow-provincials of the accused appealed to Peking. Orders being issued for a re-hearing of the case, the former decision was affirmed in the province, and this a second and again a third time. The proceedings were then removed to Peking, and it is in the end established that Magistrates of Districts, Prefects of Departments, the Governor of the Province, and the high officer charged with the public instruction of the Province, who had been specially commissioned to re-hear the case, have all more or less combined to conceal the delinquency of the first authority who heard it, with whose guilt the rest, his seniors, had associated themselves either through carelessness or from a corrupt motive. It is vain to talk of the abandonment of our ex-territorial jurisdiction in China so long as burlesques so revolting are dignified by the name of judicial proceedings. These had lasted over two years.

The inquests in such cases are but what might be looked for from a singularly imperfect acquaintance with medicine or anatomy.

But to return to the object generally indicated in my Agreement, the more effective administration of justice at the open ports, to be compassed by an understanding with ourselves or others, I do not apprehend that in the first instance more can be effected than was contemplated by Sir Rutherford Alcock in 1869, when the preparation of a commercial code by competent authorities acting on the part of England and of China was agreed to. The agreement is to be found in the last clause of Article IX of his Convention, which, premising that I do not go the full length of its earlier provisions, I quote entire.

“ARTICLE IX.

“It is agreed that in all cases of fines arising out of breaches of Customs Regulations, the Superintendent, or the Commissioner of Customs, may have a seat on the bench, and take part with the British Consul in inquiring into the case.

“And that in all cases of confiscation arising out of breaches of Customs Regulations, the British Consul may have a seat on the bench with the Superintendent or the Commissioner of Customs, and take part in inquiring into the case.

“It is further agreed that England and China shall in consultation draw up a commercial code.”

The foot-note appended, at Sir Rutherford Alcock's request, by Mr. Hart, explains that—

“The object of this is simply to give a Treaty Clause authority to the principle of joint investigation in Customs cases. The concluding sentence is a stipulation of great value. A commercial code accepted by both China and England will be very useful in itself, and it may perhaps pave the way for reforms in the judicial procedure in China generally speaking.”

In his despatch giving cover to the Convention, Sir Rutherford Alcock observes :—

“The adoption of a written code of commercial law, in like manner, is more important for what it may lead to than for any immediate results. From a commercial to a civil and criminal code, founded on European principles, and an international court for its administration in all mixed cases between foreigners and natives, there are but two steps ; and these once gained, extra-territoriality may be dispensed with, and the greatest impediment to inland residence and unwillingness on the part of the Chinese officials to see the foreigner located in the provinces, will disappear.”

The one objection that I have implied I have to make to Article IX, is that it assigns the foreign Commissioners of Customs a position co-ordinate with that of the Chinese Superintendent and the foreign official in what is really a judicial inquiry ; it may also be said a judicial inquiry in which the Customs are interested. I do not, of course, mean pecuniarily interested ; but, as in cases of fine, as prosecutors, or as in cases of confiscation, as defendants. In the first the foreigner is brought by the Superintendent of Customs before his Consul ; in the last, he appeals through his Consul to the Superintendent against the act of the Customs subordinate who has seized his goods. No one, I am satisfied, estimates more highly than myself the value of the foreign Customs service, not only to our trade, but, in a larger sense, to our

relations. But I feel strongly that the investment of its members with judicial functions is not to be desired; and that it would be, of course, less desirable in cases where, virtually, the proceedings of their own establishment are directly called in question.

But in all that he has written, as above, regarding the utility of a commercial code, immediate or ulterior, I am entirely of one mind with Sir Rutherford Alcock. It is undoubtedly on this side that the first step in advance should be made. I shall add that, though the co-operation with others which I engaged the Chinese Government to invite would be in this, as in all cases in which it may be possible, of advantage, it is not in the present instance by any means indispensable. There is nothing, at all events, to hinder the immediate preparation by us alone of a code of rules, for communication to the Chinese Government, which other Powers might adopt, or which, to meet the wishes of other Powers, we might modify. Our own Supreme Court at Shanghai would of course be, so far as we are concerned, the best authority to consult regarding the compilation of such a code.

In criminal law it might also be useful to prepare a memorandum of suggestions. The Code Napoléon, it is said, but I am not sure of the fact, is being translated at the expense of a high official. But were the translation of this, or of the memorandum I propose, already in the hands of the Government, I should still not be sanguine of a sudden adoption of the teaching of either. The national education must be revolutionized before estimates of culpability that appear to us unjust or puerile, and before methods of inquiry and punishments equally barbarous, are abandoned.

It is agreed in Article iii that whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to the spot to be present at the investigation.

It will be remembered that in a note dated April 14, 1875, I had been informed that it was only in consideration of the deplorable fate of Mr. Margary that officers had been allowed to proceed to Yün Nan to represent me at the trial I had demanded, and that what had been conceded in this instance was not to be regarded as a precedent (China No. 1, 1876, p. 26). I had replied (p. 142), that so long as I had a voice in the matter, no British subject provided with a passport should sustain injury at such a distance from a port as to render it impossible for the case to be dealt with otherwise than on the spot without my asserting, if I conceived it necessary, the right to be surely informed by my own agents of the nature of the evidence on which the Chinese accused might be condemned or acquitted. The intimation quoted above to which I had so rejoined, was but consistent with the argument earlier employed in the first days of this long discussion, that our right to be present at an investigation in which British life or property might be interested, although admissible under Treaty at the open ports, did not exist where the scene of inquiry lay in the interior. Our right to be present at trials, even at the ports, had been also on occasion contested; notably in 1870, in the case of the Tientsin massacre. I thought it advisable, therefore, to insert (Article iii) an express declaration of this right in the Agreement, and I stipulated that notes should be immediately exchanged between myself and the Tsung-li Yamên upon the subject, the reply of the latter affirming our freedom to exercise it. The receipt of this latter, as I have reported in my despatch of September 14, 1876, (p. 70), became one of the supplementary conditions on which I consented to accept the responsibility of closing the case.

Consistently with the views I have often repeated, I regard the engagements accepted regarding intercourse in Article i of this Section, as next, if not, equal, in importance to the publication throughout the Empire of the Memorial and Decree upon the Yün Nan case prescribed in Section I, and it is gratifying to receive from mail to mail fresh evidence of a disposition to observe the promises given in both. In judicial proceedings (Article ii), as I have implied above, rapid progress is hardly to be expected; but by watchfulness at Shanghai we may hope to improve the Mixed Court established there, and when its procedure has been revised, to introduce elsewhere, at least in commercial cases, the rules it follows. It will not be necessary to press for the institution everywhere of a separate tribunal of the same name. The foreign community at Shanghai numbers about 2,000 persons. The concourse of Chinese within the Settlement is as large as under these circumstances might be looked for. Hence the special need for the Court which is somewhat erroneously named a Mixed Court, as it is in reality presided over by a Chinese official, watched and aided, it is true, by a Consular Assessor. By the Agreement, the Chinese Government admits the imperfections of this Court. It is none the less useful as a tentative

institution. Its development will depend in a large degree upon foreign advice, which again will need to be very frequently repeated. I could not see my way to more than the general appeal to foreign Governments for that advice, which the Agreement records. For the rest we shall, by Articles ii and iii, be spared, I hope, further dispute as to our right to establish a superior Consular Court (the main object of its creation being to secure the observance of the Treaties in the proceedings of Courts, Consular or Vice-Consular), as to the part by Treaty devolving in mixed cases upon the Presidents of Courts, British or Chinese; and as to the right of the British Government to be represented in inquiries affecting British interests, no matter in what part of the Empire instituted.

This brings me at length to the close of my Report, for the long delay of which I must still ask leave to add a word of explanation. When I asked your Lordship's permission to prepare it, six months' ago, I contemplated nothing more than a despatch of ordinary dimensions. I was anxious to avoid resuscitation of details, the review of which, as I have said on the first page of this long paper, was something more than disagreeable. I soon found that it would be impossible to avoid recurrence to them, and I was eventually committed to a reperusal of every paper bearing on the case that has been written during the last two years, with some of earlier date. The result is a very bulky document, the elaboration of which, however, would not have occupied the time over which it has been spread had I been in better condition for work. With little of physical indisposition to complain of, I have found myself, after the strain of the last few years, more or less unfit for mental labour of any kind. This, I trust, will be accepted as my excuse both for the lateness of my Report's appearance and for the imperfections with which its composition is chargeable.

In my despatch of the 5th August (page 57), writing at a time that I conceived it not improbable that Her Majesty's Government might be obliged to go further, I mentioned that I had asked every one whose opinion on such a point was worth obtaining, what with the all but certainty that the conviction of the really guilty was beyond our reach, with the fullest certainty that what had happened was due to the exclusivist policy of China,—what might a Minister exact that he could really point to as a proof that that exclusivist policy was put away?

While some, I admit, held fast to the advisability of insisting on the production of the Acting Governor-General Ts'ên Yü-ying, the majority were for the exaction of material innovations, the introduction of railways and telegraphs, the navigation of the inner waters, mining, &c. Near the end of my negotiations, it was suggested that I might engage the Government to establish a mint and a postal service. Of the two latter, I will say that I half regret the loss of the opportunity. Neither a mint nor a postal service, however, appeared to me to find a fit place in any of the three Sections of my Agreement, the connection of which together my Report will have made plain.

As to the other propositions, they had always appeared to me even less approachable. I venture to think it probable that formal negotiations, at present, would retard rather than advance their adoption. They, in general, involve enterprises which, in my opinion, cannot be healthfully undertaken independently of the free action of the Government. Such enterprises cannot, it is true, be given effect to without foreign aid, if not foreign capital; but it is not desirable to force them upon the country. The chiefs of the administration are becoming slowly converted to the conviction that the appliances by which foreign nations sustain their strength, are equally indispensable to China. They will be presently adopted, and whenever the moment for their adoption arrives, we shall hardly contribute less to their furtherance as auxiliaries than any other Power.

No. 40.

Sir T. Wade to the Earl of Derby.—(Received July 14.)

My Lord,

London, July 14, 1877.

THE long Report which I have had the honour this day to lay before your Lordship, however my proceedings or opinions may be judged, will scarcely fail, I feel sure, to be regarded as proof that the labours referred to in it were not light. An important share of the weight of these devolved of necessity upon my Chinese Secretary, Mr. Mayers. His merits are already well known to your Lordship, but I should be wanting in my duty on an occasion like the present were I to omit recording

my deep sense of the obligations under which I conceive the public service to have been laid during the past two years by Mr. Mayers' zeal and ability.

I have, &c.
(Signed) THOMAS FRANCIS WADE.

No. 41.

Lord Tenterden to Sir L. Mallet.

Sir,

Foreign Office, July 18, 1877.

WITH reference to my letter of the 16th of April last, and to previous correspondence respecting the Yünnan outrage, I am directed by the Earl of Derby to transmit to you, to be laid before the Marquis of Salisbury, the accompanying report by Sir T. Wade, explaining the objects which he had in view in concluding the Agreement with the Chinese Government at Chefoo on the 13th September last.*

I am, &c.
(Signed) TENTERDEN.

No. 42.

The Earl of Derby to Sir T. Wade.

Sir,

Foreign Office, July 27, 1877.

I HAVE received with much satisfaction your letter of the 14th instant, recording your sense of the valuable services rendered by Mr. Mayers in your negotiations with the Chinese Government for the settlement of the Yünnan affair; and I have much pleasure in expressing my high appreciation of the zeal and ability which Mr. Mayers has displayed in the discharge of his duties.

I am, &c.
(Signed) DERBY.

No. 43.

The Earl of Derby to Mr. Fraser.

Sir,

Foreign Office, July 30, 1877.

I TRANSMIT to you herewith, for your information, and for communication to Mr. Mayers, copies of a despatch from Sir Thomas Wade, and of one I have addressed to him in reply, in regard to the zeal and ability displayed by Mr. Mayers in connection with the settlement of the Yünnan affair.†

I am, &c.
(Signed) DERBY.

No. 44.

Sir L. Mallet to Lord Tenterden.—(Received August 4.)

My Lord,

India Office, August 4, 1877.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 18th ultimo, forwarding copy of a report by Sir T. Wade, explaining the objects which he had in view in concluding the Agreement with the Chinese Government at Chefoo on the 13th September last.

I am to add that a copy of Sir T. Wade's report has been sent to the Government of India, with a request for the early expression of their views, which Lord Salisbury will await before communicating any opinion on the commercial questions which are raised in the report.

I have, &c.
(Signed) LOUIS MALLET.

* No. 39.

† Nos. 40 and 42.



